

THE
RIGHT
OF
BRITISH SUBJECTS

TO PETITION and APPLY to their
REPRESENTATIVES
ASSERTED and VINDICATED.

In a LETTER to * * * * *

WITH
An Excerpt from the *Review of the Excise Scheme*
&c. on the Duty of Members of Parliament to
advise with their Constituents;

AND
An ADDRESS to the People of SCOTLAND
on the same Heads.

is only our not being either afraid or ashamed to appear in Defence
of Liberty, which will give any of us a Title to be ranked amongst
those, who are, or design to be, thought Lovers of it; and not the
adhering to vain and empty Names, when the Pretenders of them
have manifestly departed from those Principles, which first gave
them their Esteem and Respect amongst their Fellow-Labourers in
this glorious Cause, and pursue those Practices, which have in all
ages been constantly opposed by the Assertors of Liberty and Lovers
of their Country.

State of the National Debt.

Printed in the Year M.DCC.XXXIV.

RIGHT
OF
BRITISH SUBJECTS
TO
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ASSISTED

THE UNIVERSITY OF SCOTLAND
EDINBURGH

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To the PEOPLE
OF
SCOTLAND.

Countrymen,

I Cannot address you by a dearer Name: A Name that so powerfully awakes the Thoughts which move an honest Heart. We are tied together by the same Duty and Interest. So were our Forefathers, from whom we derive our Blood, our Laws and Estates, and the Privileges of Men free-born. And so must our Posterity be; these tender Objects of our just Concern and Care, the Hope of our Nation and Families. Honour engages us to the common Cause, our Country's Interest. An Interest that is not sordid and selfish. 'Tis the Interest of the Whole, of every One of us; and we must stand and fall together. We are like Men in a Ship at Sea, who, because of that Situation, must make the same Voyage. If the Ship turn crank, want Provisions, or perish; all must be in Distress, starve or drown. If the Voyage prove succesful and good, every One, from the Captain down to the meanest Mariner, is happy.

But what Crew is there so honest that no Villains get among them? Villains, who, regardless of the Ship, and not contented with their large Share of Provisions, Power and Profits, mind not how the Voyage shall be accomplished, if they be got into the Steerage and Cabin, and authoritatively from the Quarter-Deck command the Crew. The poor, oppress'd, deluded Crew! brought to Pinch-gut, that the Officers may live in Riches and from the common Purse and Stores make up Stocks to themselves, whatever becomes of the Ship and Cargo. Let the Ship and Cargo go to Wreck, and the Crew perish, it touches them not for they expect by their Wealth and Power to come at a lusty Plank to carry off themselves with their ungodly Gains.

Such has been the Case of many Nations, when brought under the Feet of a rapacious Monarch who impose on their Master that they may cheat him and domineer over their Fellow-Subjects; and by corrupt Arts, form a Party for themselves, to enable them to make Head, as they shall find proper, against their Lord, and presently to disgrace and depress his most loyal People.

It is indeed harder to perpetrate this Wickedness in a legal limited Monarchy, than under the Dominion of lawless arbitrary Sway. But, however well contriv'd and established the Constitution of a Country be, the Security of it is much like that of a well-fortified Town. It cannot be taken but by a long Siege, and at the Expence of much Blood and Treasure, or else by Surprise, or by Treachery. But by these Methods it must be taken at last.

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last, if not relieved, or if the Plots for seizing it be not disappointed. And the Works, which make the Place seem impregnable, become the Terror of it, and afford the most advantageous Ground for raising the strongest Batteries, and carrying on the most grievous Attacks against it, if they fall into the Possession of Enemies.

Such is our Constitution, the best on Earth, but, as all human Things, liable to be overturned by open Force or under-hand Machinations. And our Parliaments, the Foundation and strongest Defence of it, when got into arbitrary or mercenary Hands, is the likeliest Engine to ruine it. Our Constitution, by the Blessing of God on the honest and brave Hearts and Hands of our Predecessors, has withstood many Efforts of Violence. But, if we are not on our Watch, disguised Traitors to our Country, and therefore to our King, will get in, and corrupt or delude so many, that we shall soon find ourselves trick'd into their Snares, and deprived of our excellent Constitution. *Troy* did not fall by the fiercest Onsets of the *Grecians*. But, in receiving a *Bribe* and plausible Tale, the false *Greeks* were admitted with Weapons of Death and consuming Flames, that laid the Town in Blood and Ashes. And *Troy*, tho' built by the gods, was no more.

The Church of *Scotland* has never since the Reformation been ruined but by dishonest Assemblies and Commissions, and treacherous Churchmen, who, by various Artifices, wrought themselves into Trust and Authority. And Parliaments and Statesmen, of the the same Character, have often wounded our Civil Constitution in the most vital Parts, and brought it to the Point of Death. Pray God
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the like may not happen to either of them in our Days.

Such Engineers do not at first carry on their Attacks by open Trenches, but by Mines and Sapping. To take our Attention from their subterraneous Work, they fill our Ears with various Clamours and false Alarms. And when we can no longer be so deceived but that we hear the Blows and Knocks of their under-ground Working, nor so insensible but that we find it make the Earth we stand on shake and tremble under us, they confidently tell us, That it is all for our Security and Happiness, by the most wise and uncorrupt Conduct of the present Administrators! And pray (say they) why are you all in such a Pannick? You cannot be so well as with us. They make not their Proofs of this Assertion to sink through your Ears to your Heart, but to slide by your Fist into your Pocket; which is now said to be the nearest and surest Road to the Heart.

This Subject deserves to be largely treated of, and the Pretexs and Practices of such Men exposed to every One's View, that honest People, being on their Guard may not be deceived, nor shun engaging to preserve their Country. But in addressing to you, *my dear Countrymen*, the following Pamphlet, and Excerpt from another (which have both been already printed) I shall confine myself to that Part of the Argument which these do handle. It is of so great Importance to us, that I cannot doubt of having your Attention to a few Words, and that then you will seriously read what is reprinted for your Service.

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The common Sense of Mankind convinces every Body, that he deserves to be strongly suspected of mischievous Projects, who strives to conceal his Designs and Actions from those who ought to be acquainted with them, and refuses to receive the Advice for which he is obliged to have the greatest Regard, and endeavours to knock down all who presume to remonstrate, or humbly to petition, against his Conduct in their own Affairs. And if, at the same Time, he actually drives on the very worst, which he asserts to be good Projects, who can doubt his being an Enemy?

This came lately to be glaringly the Case. *Britain* had for several Years groin'd under very grievous Things, and from Year to Year got no Redress, but with Amazement saw them turn worse and worse, and those who carried them on turn every Day more hardned and bold. Then the Excise-Scheme was violently pushed for, which must have completed our Ruin, and sunk us in Poverty and Slavery.

The greatest Part of the Kingdom was roused up to argue with their several Members in Parliament, and with humble and modest Freedom to petition the Parliament itself. Thus the Nation was saved, like a tender Flock pluck'd from the Jaws of ravening Wolves. The Disappointment enraged them, and these legal and dutiful Means of our Deliverance were, in Conversations, Speeches, and Print, railed against. That which did so signally defeat their Favourite-project, when advanced to the Point of Execution, might afterwards equally disappoint such other Designs of Mischief. What would then become of the

the Projectors, and of their great Power and endless Increase of Wealth?

But the same Reasons which irritate them, must justly and strongly perswade us to adhere to those Means of our Preservation and Prosperity, which the Law and worthy Practice of our Ancestors have authorized, and Experience proved to be effectual. Join with me therefore, *my Countrymen*, to consider them, that we may see their Legality and Reasonableness, and how they may be improved for the Cure of our present Maladies, and keeping the Body politick in a healthful State. And the Cavils lately made against this Part of our Law and Constitution of our Privilege and Duty, will easily be refuted.

Our Parliaments, as I observed above, are the great Foundation and Security of the Constitution, and of all our Rights and Privileges. Every free-born *Briton* is represented in it; and it is by virtue of the Power actually derived from them, and for their Behoof and Advantage it ought to be, that the Members sit and vote. When the Members abuse this Power, to advance the Projects of any Party or Person against the Interest of the People whom they represent, then the Parliament is not our Security, but the most terrible Instrument of our Destruction.

Such Members of Parliament we have seen, and are now to consider *some* of the most effectual Means, that we may see such no more.

Many Electors of Parliament-Men have been sensible of this growing and sore Evil; and to prevent their being any more betray'd or neglected by their Representatives, have, before they were cho-

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sen, laid Instructions before them, and only agreed to chuse them on their pledging Faith and Honour to observe these Instructions, and duly to correspond with their Electors about their Affairs. These Instructions have been accepted of with great seeming Cheerfulness, and the strongest Assurances have been given of observing them; and, at the Desire of the worthy Gentlemen, a select Number of the Electors have been pitched on, to entertain the Correspondence, and communicate it with the rest. But, were these Instructions minded, or the Correspondence kept up? No: But the honest Members never failed the M——r in any Job, and heroically concurr'd in the Measures most destructive to their Constituents.

Could such Members have Brags enough, again to look their abused Constituents in the Face? *Ay*, and perhaps to stand up too, and speak among their Constituents for these Measures that must have speedily enslav'd and beggar'd them; and to tell their Constituents plainly, That they always had been, and would be, for their *grand Oppressors*? There is no Wonder in it, if they still find a Handful to give them Countenance. But you will say, How can they possibly find such? The Inducement of the Members I can see. But what can move their Constituents to be *felo de se*? Why, truly there are but very few, if any, who love a wicked Action for the Sake of the Wickedness, but of the sweet Effects of it. And if private Views have prevail'd with the Members, such also must be the Motives of their Adherents; or the Strength of their Love to such worthy Men is very surprizing. But there is no disputing against Fact. Look through the Island, recollect what you have seen and known. Those of

Experience and Observation in such Matters say, that then you cannot miss to be convinced.

Example is catching. They tell us, That, in some Places, Candidates, encourag'd by such noble Precedents, are not afraid, and blush not, to own to those who they hope will elect them, That they value not either them who stand for their *Country's Interest*, or against it, but will be on any Side that shall do best for themselves. A strange Way of obtaining the Favour of the Country, and to be trusted with the most important Affairs of it! Can a People subsist under such *Degeneracy*? Do we impiously and stupidly imagine, that Providence is in League with us, to go on saving us from the native Consequences of our *Wickedness and Folly*, which we unrelentingly proceed and harden in?

Thus we want to be secured against the *Corruption* of the Electors, as well as against that of our Members of *Parliament*. If it turn universal, we must of Necessity be undone, as all Nations have been that became generally corrupted. But, G O D be thanked, there are still honest Men among us; and to them chiefly I write. Would to G O D I could perswade those who are carried away with the *Torrent of the Times*, to return to the Integrity and Bravery of our Ancestors!

How we may be recovered from the present *National Corruption*, and prevent the bad Effects of it, and hinder it to return, is the Question. It often happens in such Cases as in Medicine. We undervalue substantial Remedies, because they seem plain, and amuse ourselves with Quack-Receipts. But, as in Physick, so in Politicks, the Cure must be adapted to the Constitution. No Government
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can continue in good Order, where the Governors are not attentive to it, and duly inform'd, and watchful over it. Therefore it cannot be well with ours, of which the chiefest Concerns depend on the *Parliament*, if both the *Electors and Elected* have not the Knowledge, Attention and Watchfulness that is requisite in their several Capacities. It is the Duty of the Elected to act as becomes sensible *honest Men*, and to consult with their Constituents on all new important or difficult Affairs: And of the Electors to chuse such Men, and to assist, admonish and advise them as they see Occasion; and when Affairs require it, to petition the Parliament itself, or the whole Legislature, King and Parliament.

The Scene is very different at present. Nothing is more obsequious and obliging than a *Candidate* before an Election: And as he gets a Party to turn firmer to him, there is an Appearance of great Intimacy and Confidence betwixt them, and there is either open or disguised Enmity with the rest. This Shadow of Friendship lasts like Hony-month after Marriage; and then their Correspondence turns cold, and dwindles down to sending them once or twice a Week a News-Paper, and the Votes of the House of Commons. The Member is at *London* making his Court. Afterwards the Drift of his Conduct is to fortify the Measures he has entred in- to for his own *Interest*, and to be advanced in the *Favour* of his *Patron*. When he comes from the Parliament to the Country, except it be for coxing his *Electors*, he seldom converses with them, but with his own particular Club. But, after their Meetings, ask at Electors in Country or Town, What they know more of the State of publick Af-
fairs

fairs by the Conversation of their Members? And you will find it amount to as little as his epistolary Informations did. Nor is he more desirous to be inform'd by his Constituents of the Circumstances of the Country at home, than to give them Information of the more publick Affairs of *Britain*. And if there happens to be Discourse among them touching such Subjects, it is but the common Cant and Stuff of the *Party*, and One may learn as much any Night in a Tavern. But, as it is their Duty to give their Member the best Information they can of the Nation, and of their own Neighbourhood particularly, so it is his to give them just Accounts of the more publick Affairs.

Our Gentry are apt to despise the Vulgar, but most unjustly. One cannot purchase sufficient Knowledge of our trading in *Corn* and *Cattle*, in *Linen*, *Woolen*, *Leather*, &c. except he observes and deals with the lower People; such as the small Heritors and Husband-men, Shop-keepers, Seamen, Artificers, &c. For it is in these they are occupied, and get their Bread, and therefore must have great Knowledge of the Particulars. If they cannot explain them distinctly, nor form general Conclusions from them, the Gentleman is to imploy his own superior Understanding for that Purpose. But, without Knowledge of the Particulars, he may with all his *Brightness* invent very good Things for *Utopia*, but not for *Britain*. Further, The greatest Part of the Kingdom is of the lower People. Their Flesh and Blood, and their Souls, are of the same Nature as those of the Great (but generally less *corrupted*) and much of the Happiness of the Nation depends on their Happiness,

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And the Member of Parliament ought also to inform them carefully of the more publick Affairs of the Kingdom ; which appears from this Consideration, among many others. They elect the Parliament-man, and, if not informed, cannot do it with *Judgment*. If the Elected ought not be ignorant of those Affairs, neither ought the Electors. How else can they know whom to chuse for obtaining good and averting bad Things from them? They must either proceed by other Views than the Good of the *Country*, or go on *blindfold* and *hap-hazard* in this Affair of the greatest Consequence. Our Constitution, that has long maintained the *Liberties* and *Property* of *Britain*, while most of the Nations round us have lost theirs, and has now made us their Envy ; Can all this *glorious Constitution* land in the Nomination (for it cannot be called the Choice) of Members of Parliament by such Animals, as so ignorant Electors would be? Our Law, and the Wisdom of our Fathers who establish'd it, must certainly have reckoned them quite other Persons.

Let me beg Leave to ask our Members of *Parliament*, For what Reasons, and from what Motives, that can be answered for to *G O D* and the *Country*, they came to be elected, and pretend to be chosen again? You ought to blush to own any other than that your *Constituents* judged you would act for the real Interest of the Kingdom ; and that your Conduct in Parliament has confirmed them in that Opinion. But can you pretend this, if they neither understand that Interest, nor your Conduct? And therefore either you have perswaded them, and intend to perswade them again, to chuse you blindly, or

or by Reasons and Motives which neither you nor they dare own.

The Clergy act more consistently. When they turn weary of their Electors, they cast them off and fly to *Patrons*; or lest such a Jump should be too large at once, they garble their Electors like a Heap of Spiceries, throwing away the Weak, and retaining only the Stronger, whereby they also obtain the Power of the Stronger to help them to knock down the Weak; as in due Time they will serve the rest likewise. The Example deserves the Consideration of such Members of Parliament. They disdain their Electors. Why then, let them get a Law for *Patrons* to present to Seats in Parliament. *A noble Power*, that would well become the M——ry, and make the Nomination of such Members to Parliament most consistent with their Conduct in it. Or here likewise, that this may not be too wide for one Leap, they may in the mean Time get a Law to debar the Lower of their Electors, and retain only the more Illustrious, till it be Time to lay all of them aside, or to reduce the Elections to as errant Shamms as those of the Bishops on the King's *Conge d' Elire*. And 'tis said that such they are already in a certain Body. Why may they not become such in others not noble?

But that I may not astonish our Members too much, by carrying this Matter still farther, I must first bring to their Remembrance, that the Law and Constitution of *Britain* admits the lower People as well as the great into a Share of the Administration. The Excellency of it lies in the due Mixture of the three Forms of Government, Monarchy, Aristocracy and Democracy. The *Democratical* is conspicu-

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ous in the *English Elections*, and remains evident enough to this Day in the *Scots*. The *Forty Shilling Lands of old Extent* can admit the lower People to vote in Counties: And the yearly Value of the *new Extent* affords not an Estate that exalts the Proprietor much above the common Level. The Town-Councils of our Royal Burghs, which chuse Members of Parliament, are composed of Deacons of Crafts, Trades-Counsellors, and Shop-keepers, whom we call Merchants, and have often commenced Merchant-travellers, the Name of Dignity for a Pedlar. All these have as good Votes in our Elections as the greatest Laird or Magistrate, and may be sent to Parliament themselves: And the Share which the People, the lower People, have in Judicatories as well as in the Legislature, every Body knows by our Juries. There are but two great Distinctions of the Subjects of *Britain*, Lords and Commons. He who is not a Peer, is but a Commoner; and so is the meanest *Artisan*.

Therefore let not Gentlemen who have got into Parliament, or pretend to get in, take it in Indignation to be told, *that it is their Duty to ask the Advice of the People whom they represent in every now, important, or difficult Affair that comes into Parliament, and to have great Regard to their Advice.* You dare not be so self-sufficient as to say you need not Advice; and you cannot advise with more proper Persons. Their Residences, Families, Estates, and Dealings, are in the Country, and the Prosperity or Adversity of it are inseparably connected with their own. If they advert to their own Affairs, and what would do them Good or Hurt, they cannot but in Multitudes of Cases see what is good or hurt-

hurtful for the Kingdom. Every Member being thus instructed and advised by his Constituents, the collective Body in Parliament would have the State of every Part of the Country before them, and be capable to judge what is best for the whole.

Again, you derive your Power from them, and are their Representatives in every Affair that comes before you. It is by their Election only that you have more Power than any other *British* Man to argue or vote in these Matters. Therefore, every Affair that comes before you is their Affair; for otherwise you could not, as representing them, take Cognizance of it. They could not empower you to act in Matters that they are not concerned in. Now, why may they not presume to *advise* you? and why ought you not to have great Regard to their Advice in their own Affairs? Are your Constituents the only Constituents on Earth, who must be blind and deaf and dumb about their own Business, and not so much as give Advice to their own Representatives, whom they have empowered to act for their Behoof? This Regard is not to hear them in an overly Way; but to hear them with great Attention and Application of Mind and *Desire* that your Sentiments and theirs may come to be the same, and that either they may persuade you, or you them. The vast Advantages to the Publick by such a *Harmony*, are too obvious to be insisted on: And it is of great Consequence to you, and to your Electors, that you may think the same Way. Your Sentiments must be the Rule of your Procedure in their Business; and theirs the Rule of judging of your Procedure, and deciding whether to employ you again or not.

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You will find strong Reasons and Precedents for all this, in the Excerpt printed at the End of this Pamphlet; which therefore I recominend to your serious Perusal.

When particular Members are deaf to all Advice, the following Sheets, intituled, *The Right of British Subjects*, &c. shew us a Remedy still left to us, and that is, in most humble and modest Manner, but with Earnestness and Strength, to petition and remonstrate to the Parliament itself against our Oppression and Danger. What may lawfully be done by the *English* for the Preservation of the Rights, Liberties, Trade and Privileges of the Subject, cannot be unlawful for the *Scots*, now that the two Nations are united into one Kingdom.

But we have also Law and Practice for this in *Scotland*. I shall only give two Proofs of it; lest this Paper should swell too much.

Our Claim of Right, in the memorable Year 1689, asserts, *That it is the Right of the Subjects to petition the King, and that all Imprisonments and Prosecutions for such Petitioning are contrary to Law*. If the King, then surely the Parliament too, or King and Parliament jointly.

It is within the Memory of most of us, how many and bold Petitions were presented to the last *Scots* Parliament against the incorporating Union. There never was, and hardly can again be, a Parliament that had more Reason to dread such Applications. The prevailing Party had but a serimp Majority in all Points, and carried some of the most important by Lord Chancellor's casting Vote. And in all *Scotland* there could scarcely have been found as many other Men as to form a Parliament, that

that would not have voted that Union out of Doors and impeached those who carried it on. Yet all these free and numerous Petitions were presented to Parliament, received, and openly read. Hardly a Day passed without Instances of this. The Court-Party in vain struggl'd against it at first. Tho' they had Influence enough in Parliament to carry the incorporating Union, in Spite of the Fury of the Nation, and of these many strong Petitions against it, yet they could not prevail with that very Parliament to declare against this great Right and Security of the People, *petitioning*; but the Legality of it was asserted and allow'd. These Petitions were without Success, it is true; but the late Petitions against the Excise-Scheme had a happy and glorious Effect, that deserves to be celebrated in *Britain* through all Ages, as one of our Deliverances from *Poverty* and *Slavery*. And on such like Attempts, it may again have the same Success.

I shall now refute those Cavils and Objections which the present Court-Party make to what I have asserted and proved, and shall thereby have Opportunity further to explain and confirm every Point of it.

They tell us, That the People are ignorant of Matters of State and Government, and have not their Heads turn'd to such Things, nor Opportunity to be fully enough informed of them, and grow giddy, head-strong and ungovernable, when tampered with about them. That thus a Member of Parliament would have a most miserable Time of it, to be teaz'd with their daily Nonsense; and a Gentleman must meanly turn the Companion of the vulgar, and lose the Respect due to him, and all Men

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be set on a Level. That this could not but introduce Faction and Sedition, and overturn our Parliamentary Constitution, and bring in Anarchy and Confusion, by making the Mob, the ignorant giddy-headed Multitude, Rulers of their Masters. That it is the Duty of Electors to chuse right Men, but after elected it is their Part to take Care of the Nation in Parliament; and that this they are bound to do, according to their own Judgments, and not to be ruled by the Opinion of their Electors, which is inconsistent with the Nature of the Thing, and therefore that this great Regard to the Advice of their Electors is inconsistent with the Consciences of *honest Men*. They also tell us, That this mutual Information and Advice betwixt the Electors and Elected, is a mere Whim that never will take Place; and if it did, that it would not signify. And they further tell us, That thus to inculcate on the People their pretended-Right to petition and remonstrate, is to perswade them, on their own Conceits, to make such Appearances as they will not easily depart from, tho' grossly in the wrong, and, believing themselves oppressed beyond all other Remedy, fly to Arms and Rebellion against their Governors, who will not bear to be thus insulted, and thence must ensue bloody desolating civil Wars.

It is deplorable, that in all Ages, and under the best as well as the worst of Kings, Courtiers have generally spoke the same Language, and been unfavourable to the Rights and Liberties of the Subject. The greatest Things, and Revolutions brought about, for vindicating the Privileges of the People, have not alter'd them; and Courtiers under

An Address to the

the Reign of a *William* and a *George*, speak like the Ministers of a *James*. Thus they spoke in the Days of *Charles II.* and *James VII. (II.)* They vary'd not much in the Days of the glorious King *William*. And thus they speak still.

But, whoever acts honestly, and for the real Advantage of those he represents, is glad to act in the Light; and the better that his Constituents be inform'd, the more is he approv'd of, and justly prais'd. Nor have we seen the Members, either of our *Parliaments* or *General Assemblies*, disdain to communicate Information and Advice with their Constituents, but when Designs were carrying on to cram down their Throats strange, new and disagreeable Things. For this I appeal to our History, and to some recent Instances in both. When such a woful Spirit prevails, when Representatives want to be Masters unaccountable, and *Pastors* Lords over God's *Heritage*, then the People are called *Mob*, and giddy-headed Multitude, incapable of the Mysteries of Government and Religion; that is, incapable to contribute to their own Preservation and Prosperity in the World, and to work out their own Salvation by the Influence of the Holy Spirit. But our Law and Constitution supposes quite the contrary as to the first, which I have already prov'd; and the Scripture teaches the contrary as to the last. Men may cry till they are hoarse, that they are Whigs and Presbyterians. What avail mere Names, if no longer used in their former honest Meaning? What they urge against the People, is the Beginning, and the very Principle of Civil and Ecclesiastick Tyranny. Attempts to

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drive the People like silly Sheep in Temporals, and to pretend to carry them to Heaven blindfold, are Attempts to introduce *arbitrary Power and Popery*, whatever Disguise or Cover be affected to hide their *deform'd Faces*. There is a necessary Connection of Things and Arguments, which a Man of Sense perceives must lead us from the first Principles to all the Consequences; and others see it to their Astonishment, when they have indolently or deludedly been perswaded to let Matters go on too far. Not a few into whose Hands this Paper may come, will, on reading this, be sensible they have been of the Number of the last. And perhaps they have concurr'd to *revile* those who foresaw and forewarn'd them of what they themselves now see with Sorrow. Let them thank God that they have escaped the Snare, and take Care not to be catch'd again; and being converted, let them strengthen their Brethren.

But why, most Lordly Sirs, are we your Fellow-subjects and Fellow-christians, why are we your Electors, to be so disdain'd? If we be ignorant of these publick Affairs which by our Constitution, and of these great Truths which by the Scripture, we ought to be inform'd of, but that thus you pretend to ingross to yourselves, the Fault lies at your Doors. Let that Pastor upbraid our Ignorance, and build his Schemes on it, who is seen to labour abundantly in Season and out of Season for our Instruction, which is the End of his Office, and as the Word of God commands him. The Hardness and Backwardness of Mankind to learn the Truths of the Gospel, is great and lamentable. But for the most Part, God is pleased so to bless the Labours of a dili-

diligent faithful Pastor, that where such is, there is least Occasion for the Complaint. He who not only preaches to them, but converses with them in the Manner he ought to do, finds them commonly complying; and perhaps they are in Danger of being too much rather than too little led by their Pastor. Wo is to that Pastor, with whatever Cloke of Zeal he be covered, who, by sinful Compliances either to their worldly or seemingly religious Con-
 ceits, gains the leading of his People. There is no Need of such base Arts. Let him behave with Faithfulness and Christian Prudence, and for the most Part the Generality of his People will be gain'd and become understanding and well instructed, and as governable as they ought to be: And the rest will either feign Submission, or become of little Signi-
 ficancy. But if the Pastor does not thus carefully attend them, no Wonder that they be ignorant; and no Wonder that what Sense remains with them of their Duty and Privileges, does often break forth in Methods not quite justifiable. The Neglect, or worse, of the Pastor, is the original Cause of it; and then the necessary Effects of it are most absurdly us'd in its Justification, and to vindicate the despising of them, and continuing to neglect them.

The Case is much the same as to a Member of Parliament. If he be honest and diligent, he has Access to know the true State of the Publick, and what is good or bad for his Constituents. This Knowledge he gets, not for himself only, but for them; as he sits not in Parliament for his own Sake only, but for theirs. Who should so naturally in-
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they elect to go to Parliament for them, and in their Names, and by the Powers derived from them, to transact these important Affairs? I have already proved, that they ought to be inform'd, and that it is the Interest of every honest Member that they be: Therefore to inform them is the Duty of every such Member. And a Member of Parliament who sincerely intends it, will find Opportunities enough to do it, if his Letters to his Constituents during the Sitting of Parliament be not mere Form and superficial, and if his Conversation with them at other Times be not consum'd in Coxing and Drinking, but employed in useful sober Discourse; which at last he would find most for his own Advantage, and the best and surest Means of gaining and preserving their Favour.

It is a proud Mistake, That the Electors have not their Heads turn'd enough to such Things. If the Truth were told as the Objectors think it in their Hearts, the Objection would be, That the People too clearly perceive what their Actions and Conduct tend to, and value their own Safety and Flourishing too much not to be offended at it. Therefore it is best to keep them ignorant. I grant, that intricate Cases are too hard for most of the People. And pray, Gentlemen Members, how are they for many of yourselves? And a particular Detail and Discussion of most Affairs might perplex them (as they do others.) But every one of them can judge, whether in Time of Peace we should be tax'd as in a War, and yet the *publick Debts* not be lessen'd? Whether great Fleets should be fitted out at vast Expence for no Purpose, but vain Shew and Riot? Whether gallant Navy should be sent to the *West-Indies*,
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and kept there till it Rot, and our bravest Officers and Mariners die, without having Leave to stop our Enemies from plundering our Merchant-Ships, and ruining our Trade; and when any of the Robbers fall into their Hands accidentally, to be forc'd in the most sneaking Manner to let them escape? They can also judge very soundly, that vast *Embezzlements and Frauds*, and the vilest Corruption ought not to be encourag'd in the great Companies and Stocks, which must soon issue in their Ruin, and of Multitudes of Families, and the Sinking of the Kingdom. They have Understanding enough to determine, that, when such fraudulent Corruptions are discovered, they ought not to be *screen'd*; and that due legal Enquiries into such vile Practices ought not to be stopt. They can very well see the Consequences of levying Two or Three thousand more Officers of the Revenue, of putting our Merchandises in their Custody, and giving them the Power to undo any Man's Trade, &c. And even our poorest despised *Scotsmen* could very well judge of laying Thirty or Forty thousand Pounds *Sterling* more of yearly Taxes on *North-Britain*, which a late Court-Paper said would have been *One hundred thousand L. Sterl.* yearly. Why then do not our Members of Parliament give them due Intelligence, and take their Advice about such Matters? Whoever does not, the People will certainly believe that their Desire to please and serve the M——ry, is more than to please and serve them. And yet they don't represent the M——ry, but them, and are nam'd and authoriz'd by them for their own Service; tho' alas they are not able so liberally to reward their Services as the M——ry can.

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In short, the People by plain common Sense, and the Experience they have in their own Dealings, are very capable to know the great Things on which the Welfare or Ruin of the Kingdom depend, and what has a near Tendency to the one or the other. Our Great, Wise and Gracious Creator, has not form'd his rational Creatures incapable of what is so needful for their Welbeing. I readily acknowledge, that the *State-Tricks* of a *Machiavel*, or of a *Politician* of equal Integrity, but much worse Parts, are too hard for the Understanding, as well as for the Honesty of the People. But I do not urge that our *Members* should instruct them in such, or learn such themselves.

Therefore the Pretence is vain, That thus the Members would be teaz'd with their Nonsense. Whose Nonsense? Their Electors! The Objection is indeed civil. But their Nonsense could not be prov'd by so many Instances, if they had not elected certain Representatives. Very many of the Electors are at least of as good Capacity, Education and Knowledge as the Elected; and not rarely of much superior. And I have just now prov'd, that the meanest of them are not such Dunces as is pretended, and that it is the Fault of their Representatives if they know not more.

If the Respect claim'd for the Gentry from the lesser of Mankind, were to indulge them to carry with that haughty Insolence which is not satisfied but by low, servile Submission and Cringing, as if all of us were not of the same Species, and Fellow-subjects, and Fellow-Christians, it ought to be refused them with Indignation. But the Decency and Respect justly due from a Man among the Vul-

gar to a Gentleman, certainly will not be hurt, but increased, by what I have urged. It will thus be set on a true and lasting Foundation, *viz.* Esteem, and a sincere Perswasion of his real Worth and Usefulness. A Gentleman of true Merit, who lays out himself to serve his Country honestly, that carries obligingly and affably, but not meanly, and with Prudence and Discretion, towards the lower of Mankind, can never be thereby brought on a Level with them; and by the Conversation he ought to have with them for his *Country's Good*, will be much more, and not less, valu'd and respected by them. I have never known a Gentleman of Sense and Prudence lose at the Hands of the Vulgar, by being humane and affable to them. And it is the Gentleman's Duty to be so, by the Rules of Reason, and the Law of GOD, the Establisher and Preserver of Order and Decency. No doubt there are Brutes among the Vulgar, void of Sense and Manners, and apt to be surly or saucy. Some such there are likewise among the Gentry, with a different (and sometimes not very different) Turn. A Gentleman of Sense uses his Prudence when he must be engaged with either. And he will shun such, when avoiding them does not make him desert his Duty. But this is a most wonderful Objection to be made in favours of these, who, to gain Votes or preserve them, sit down and eat and drink and turn familiar with Craftsmen of all Sorts, and the lower of the People. Does not familiarly conversing with them in Riot and Excess, which of all Things sets Men most on a Level, and diminishes Respect; Does not this, I say, lessen the Regard due by the Vulgar to a Gentleman; and yet is it destroyed

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destroy'd by his conversing with them soberly and seriously on the Affairs of greatest Consequence to them and their Country, which they see he has at Heart? What Contradictions do Men run into, who are entangl'd in a wrong Way, and act not by just Principles and Motives? For their own private Ends they comply with the lowest Familiarity with the Men they condemn; but reckon it beneath their Grandeur and Dignity, to treat them like rational Creatures and Fellow-Subjects in the most decent Manner, for the Service of their Country.

They must have a strange and most perverse Notion of our Constitution, who can imagine that this mutual Intercourse of Information and Advice would overturn it. I have already prov'd, that our Constitution requires it, and that these mutual Duties necessarily result from our Constitution. But the Objectors suppose, That the Electors have nothing to do, but chuse the Member, who is afterwards unaccountable. This, and the other Parts of the Objection connected with it, as that the People are ungovernable, the introducing Faction and Anarchy, and the Pretences from Conscience for Members of Parliament to disregard Advice, I shall examine together.

It must proceed from great Want of Knowledge to assert, That a Representative once being chosen, must proceed without Regard to the Mind of his Constituents. From his Constituents he derives all his Power, and they can give it to him fully or limitedly as they think fit; either *cum libera administrandi potestate*, or under such Restrictions as they please. And what is done inconsistently with these Restrictions, is void. Thus every Body

knows he may empower his Factor more or less as he judges proper. The Deputies from the several Provinces and Towns to the States-General of the *United Netherlands*, are tied down by positive Instructions, contrary to which they cannot give a valid Vote. If the Facts and Arguments they hear in that great and wise Assembly, convince them that their Constituents err'd, they may lay these Things before them, who judge of their Force, and either direct their Deputy to give his Voice according to former Orders, or otherwise as they find it best then to instruct him. He must vote according to their Opinion whatever his own be; and it is their Judgment that by his Vote he delivers: Yet there is no *Anarchy* or *Confusion* in that Constitution, nor Encroachment on the Conscience of the Deputy.

By our Constitution, a Member of Parliament is to vote according to his own Opinion; and it is valid tho' differing from the Judgment of his Constituents. But he ought to advise with them, and have the greatest Regard to their Advice. The first is acknowledg'd on all Hands; the other, tho' abundantly proved, is objected against. The first is also the Constitution of our *General Assembly*; and so must the other be, if the constant undeniable Practice in *all Times of Presbytery* since the Reformation, be sufficient to prove it. And if there have been some late Attempts to overturn it, they cannot infer an Alteration of a Constitution so long and justly established. A Constitution cannot be alter'd by *Transgressions* of it, which none do openly as yet own, and which perhaps every one would as yet take it ill to be charg'd with. Therefore I will

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not charge any Man with it, but observe what none can deny ; That the *Approaches* and *Beginnings* of *Innovations* are dangerous, and ought to be stopt. Therefore, if the Instructions (that is the *Advices*) from Synods and Presbyteries to the *General Assembly*, have of late been less regarded than formerly ; if in one late Assembly it was forgot to methodize and report them to the Assembly ; if the Committee of Instructions seldom met, and did nothing, tho' always reckon'd formerly a Committee of great Importance ; then it ought to be so no more, and these Things ought to be carefully guarded against in all subsequent *Assemblies* ; lest we insensibly depart from our ancient good Constitution, undeniably delivered to us by our Fathers, and in recent Practice.

Nothing can be more ridiculous and contrary to the common Experience and Sense of Mankind, than to say, That *Advice* is *Controul*, and that to have great Regard to Advice is inconsistent with a Man's Conscience, who is bound to act according to his own Judgment ; and that it is to subject the *Legislature* itself to the People, and make the Multitude the Master. A Master of a Family loses not his Authority by advising with a wise Servant or Son. And the more difficult, new, or important, an Affair be that a conscientious Man is to act in, the more ready he is to listen to *Advice*, and to be glad of it from these he ought most to regard. Even the most *despotick Monarch* takes Advice, and is not thereby subjected to his Advisers. And our *legal limited King* has a Council established to give him Advice, which yet he is not obliged to follow except he thinks it good. *Mul-*

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ley *Ishmael*, the late execrable Tyrant of *Morocco*, sometimes took Advice, and yet remain'd uncontrollable, and all his unhappy People most miserably under his curst lawless Power. And yet may not the *Constituents* advise their own *Representatives* in Parliament, who are bound to act legally even in their legislative Capacity? For no Members dare assert, That even in Parliament they are set free from the Law. Why then may they not be advised about their Proceedings in Parliament, tho' the most lawless Tyrant may be advised about his Proceedings on his arbitrary Throne of Oppression and Terror?

But, to render this Subject easy to the Apprehension of such Members as join with the *Objection*, and to disentangle it from those delusive Pretexts that some have endeavour'd to encumber it with, let us compare it with a Case that we may suppose familiar to them. Then, pray *Gentlemen*, don't you much regard the chief *M——r's Advice*? *Ay, surely.* — Does this Regard render him your Master, and subject your Parliamentary Proceedings to him, so that a Parliament is but a Name, and the *M——r governs* all? O *fy: What abominable Insinuations!* — Nay, good *Gentlemen*, don't be angry. Once more we beg Leave. Does your profound Regard to his Counsels (we don't say his *Commands*) about Affairs in which you are to be directed by your own Judgments, encroach on your Consciences and Honour? *Such Stuff! Why, not at all. You Country Fellows are so dull, and have so queer Notions! The M——r has great Talents, and is best acquainted with Affairs of all Men. How can we but have profound* *Re-*

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Regard for the Advice of so great a Man? He enlightens us, and then we act as we see is best.— Then, most worthy Sirs, tho' you had equal Regard to our Advice (and we pretend not to command) it would not subject you to us, since you say it does not to him; nor would it bring in Anarchy and Confusion, more than now you aver it introduces *Ministerial Arbitrariness*; nor can you any more alledge that we pretend to invade your Consciences. There may be Danger of the Subjection of your Persons and Consciences where certain Arts and Arguments are made Use of. There Counsel may be Command, and that Command may set Conscience aside. But our advising you to support the Liberty and Property, the Rights and Privileges of Britain, has no Tendency to enslave you, or in-croach on your Consciences.

Representatives (in Church or State) who shew Aversion or Reluctancy to the Advice of their Constituents, must either design to get free from the Checks even of Shame, Argument, and Respect to their Electors and Country (or Church;) or else must be for Measures which they know their Country (or Church) will not approve of. The Electors, who vote again for such, transfer their Guilt on themselves, and are answerable for it to GOD and their Country. That after the Electors have chosen their Man, he only is to meddle with parliamentary Affairs, I have already proved not to be true to this Extent that the Objectors stretch it. And, with great Reverence to these Gentlemen, it is against common Sense to conclude, that Electors do so entirely divest themselves, as no longer to have Right so much as to offer Advice to their own.

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Representatives; or that the Representatives, whom they have chosen to transact their Affairs, ought not to have the greatest Regard for their Advice and Sentiments about them.

If you grant Commission for managing your private Affairs with as full Power as the Election confers on a Parliament-man, your Commissioners would not be so faucy as to call your giving them Counsel about the Affairs you have committed to their Trust, an Encroachment on the Office, an Injury inconsistent with the Commission they had received from you. But if they found that the Trust of your Business enabled them to get into a Way of obliging, at your Cost, some Man of greater Power and Wealth, whose Interest call'd him to reward their Services more liberally than you could do: And if they knew that they were not to suffer for Multitudes of repeated Impertinences, Insolences and Injuries to you and your Friends; Breaches of Trust; using your own Influence against you; debauching your former Servants into their own Measures, treating ill those of them who would not comply, provoking them, and accusing and misrepresenting them, or exaggerating their Failings, and artfully inducing you to disgrace them; bringing noted Rogues, or Blockheads easily imposed on, and mostly their own Creatures, into your Affairs, &c. Then 'tis possible that your Commissioners (if not stanch honest disinterested Men) would learn to speak and act like ————— *certain Persons*. If they did, would you continue or renew their Commission, or their false fair Tales, or at the Request and Solicitation of any Body? ——— *Would you?* Well! You are prodigiously good to them!

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But, what if some Friend of your Family whip out a Commission of Lunacy against yourself? Have a Care!

But some do not extend this Objection so generally, and only pretend that our Electors and Country have for several Years deserv'd to be so signally disregarded and contemn'd by their Representatives. I cannot set down one Half of the Instances which they adduce to prove this. It may suffice that I mention a few as they occur to my Memory. We are told, 'That tho' they have sometimes complain'd loudly, yet still they suffer'd their Money to be squander'd away, and gross palpable avowed Frauds and Plunderings to be carried on with bare and brazen Faces, and one after another, and then a third, &c. to their own great Impoverishment and Hazard of Ruin, and to the actual undoing of Thousands of Persons and Families, but for enriching immensely the Authors and Abettors of these *Cheats* and *Robberies*. That they have shut their Eyes and Ears against honest plain necessary Truths, and been catch'd by silly idle Stories in Spite of visible felt Realities. That they have squeek'd on present Smart; but presently, like a Child after Whipping, turn'd easy, and fallen asleep, by a Sugar-plumb, a Gewgaw, or a Lullaby hum'd in their Ears. That they have suffer'd their *Rights* and *Privileges* to be incroach'd on, and *Precedents* to take Place that must at length destroy them. That they have suffered their own Servants (even the M——ry ought to be the Servants of the People) to prevail against them insult and domineer over them, by the vilest *Corruption* with their own Money, and being most mean-

ly and monstiously brib'd with it themselves. That they have suffer'd their Trade to be eat out by infamous Stock-jobbing; to be ruin'd in some, and rendred precarious in many other Places abroad; and in their Plantations (on which it now principally depends) to be neglected mismanag'd and discourag'd, and one of the most valuable Branches of it to be in most imminent Peril. That they have with great Noise complain'd, but with as great Indolence submitted, to see themselves palpably mock'd about the *Spaniards* robbing and maltreating their Ships, tho' they might have been restrain'd easily, and without offending other Nations who now would take their Part; and to see themselves as openly made a Jest about the Reparation of these Injuries. That they have complain'd indeed, yet suffered their Servants to pass from great Securities, as the Demolition of *Dunkirk*, expressly stipulated for them, or to accept of Shams in their Place, and confidently to maintain the Thing is fully executed, contrary to the Sense and Eye-sight of every Mortal who has been there: And the giving up of other Securities they are possess of has visibly been contriv'd and plotted betwixt their *Servants* and *Enemies*, &c. That with surprizing Indolence and Stupidity, tho' warn'd continually by their true and faithful Friends, they have carelessly look'd on, while their Servants, in a Tract of the most unheard-of Mismanagement, have brought *Britain* down from sitting as awful Arbitrator and Queen holding the Balance among the Nations, to a mean, precarious Dependence on others; and by an inconsistent Variety of expensive, delusory and hurtful *Negotiations* and

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Proceedings, have brought it about, that almost every One has a Claim on her, or Complaint against her, or has been too old for her, and that she is weakn'd in herself and depriv'd of her Friends, and those she dreads are increas'd in Wealth and Power, conquering or able to conquer all round them; so that in Amazement and Dread she knows not what Hand to turn her to, and, like *Samson* after his Hair was cut, finds that if she go out against her Enemies, *she cannot shake herself as at other Times before*. The deluded strong Man was depriv'd of his great Force, and then his Enemies were brought upon him, by a *Favourite*, whom he knew by repeated Experiences to be a treacherous and selfish unfriendly Slut, yet madly submitted to her Rule till she irretrievably ruin'd him.

The Charge is heavy; and it cannot well be deny'd, that a People deserve the Chastisement of their Folly and Fear, who could bear Wrongs so essential and terrible, without using vigorously and incessantly all the lawful Methods of effectual Redress. But the Gentlemen we have to deal with in the present Dispute, have many Reasons not to join in this Charge against the Country for knocking under when treated so criminally. And 'tis supposed, that their Reasons from Prudence will restrain them from concurring in this Charge, tho' perhaps Reasons of Modesty would not so much prevail with them. And indeed, such has hitherto been their Conduct; for they have never laid any of these Things to the Charge of the Electors and Country. On the contrary, they rais'd not the Cry of Sedition and Faction against them, till they began to vindicate themselves from the just Accu-

sation of criminal Indolence, and to *advise and petition* against the *Excise-Scheme*. For humbly begging that they might not be reduc'd to *Want and Slavery*, they were most obligingly call'd *Sturdy Beggars*; and ever since they have been saucily told, That they were turning *masterful*, and wanted to govern their Superiors. Thus the *Petitions* of the oppress'd *Israelites* were answer'd by hard-hearted *Pharaoh*: *Ye are idle, ye are idle, go therefore now and work.*

These Gentlemen carry the famous *Doctrines* of *Passive-obedience* and *Non-resistance* so high in favours of the M——ry and Members of Parliament, that even the most modest *Opposition* of *Advice* and *Intreaty* are reckon'd *Transgressions*. The *Præces* & *Lachrymæ* allowed of by the highest *Cavaliers*, these Gentlemen have not yet told us we might not innocently enough address to *God*; but have told us roundly, That we become guilty if we apply to them by *Tears* and *Prayers*. It was thought that these *Doctrines* had been dead and bury'd in *Britain* with *absolute Monarchy*. But an *absolute M——ry* can revive them all.

The giddy headstrong *Ungovernableness* of the *Multitude* has been long a common Place for the *Declamations* of *School-boys* and high-flying *Priests*, and for the *Sophistry* of *Statesmen* subverting the *Constitution*. I own it is true, that many *Instances* of this among the *Multitude* can be produc'd; and it were odd if a *Multitude* could be found without very great *Faults*, since *one single Man* is not to be found so perfect, but for one *Example* of the *Multitude's* being *ungovernable*, there are many

A full and most excellent account of the of

of their being treated like Beasts of Burden by their Governors. History affords more Instances of bad Rulers than of mutinous Subjects ; and acquaints us of more Rulers who from Weakness or Wickedness have hurt and undone their Subjects, than of Subjects who without Reason or Provocation have refus'd Submission to their Rulers. Neither our C——rtiers nor *Jac——tes*, nor other Sticklers (if there be any others) for absolute Government, ought to be angry at me for saying so. 'Tis Matter of Fact, which is more obstinate and ungovernable than the Multitude itself, and will not bow to the Will of any Court or King, no more than the Wind and Weather will obey them. If you enquire into the Fact, I beg Leave to warn you, not only to search for Instances under bad Rulers, but in the Days of the Good ; for in such (and the more the Pity) you will find numerous Instances of very grievous Things.

Again, tho' sometimes, and not seldom, the Multitude turns giddy, and inclines not to be govern'd, yet it is seldom that the Appearances of it are otherwise noticeable than by Speaking and Outcry, and sometimes the Hurry of a silly Mob, which, like a sudden Storm of Wind and Hail, has rarely any other Effects, than to drive People of Fashion off the Street, and to break some Windows, and is soon over. And hardly once in an Age do we hear of such Mobs any where but in great Towns. If the People go to Arms, many of the Nobility and Gentry must be embarked, and it is imputable to them. But here also let the Comparison be justly instituted, and it will be found, that where Governors do not fillily, or by gross Things, irritate the People,

People, they are more apt to trust their Governours than to distrust them; and apter to sit down with Wrongs, than to endeavour to get themselves righted; and more likely, by Inadvertency Indulgence and Seduction to pass by Degrees from their Right, than by Vigilance Spirit and Discernment to maintain it. I do not say this of the Lower only, but of the Body of the Subjects in general.

How then can there be Danger of turning them giddy and ungovernable, by being instructed so far in publick Affairs as is necessary for their fulfilling those Duties which the Law lays upon them? Such is their electing Members of Parliament, &c. Ignorance can as little produce due Submission to lawful Government, as Devotion to God; tho' it be indeed the Mother of superstitious, blind Obedience to Priests, and of slavish Subjection to arbitrary assuming Rulers. The substantial Things that the People are concern'd with, are plain to common Capacities, and the righteous Side is agreeable to honest Hearts.

The Objections against petitioning, are Objections against our Law itself; and my Answers must be in Vindication of the Law, and not of petitioning, for the Law vindicates it.

I never knew this Right and Duty of the People inculcated upon them, nor did I ever know it practis'd by them, but on great and signal Occasions, when the Malady was great and yielded not to lesser Remedies. And on such Occasions only it ought to be used. And we now write in Defence of it, because the Enemies of our Constitution and Happiness have wrote and spoke against it. If the People should petition when they are in the wrong, and obstinately ad-

adhere to it, that would be a Misfortune. And what Part of human Affairs is not liable to great Misfortunes? But we have not yet known the People do so. On the contrary, we have known them petition, and be refused, and take the Refusal very ill, and yet not fly out to Disorder or Violence. And if you call to Mind the Instances, perhaps you will think that the People had *Reason to petition and be angry*, when nevertheless they did not go to Extremities. This is sufficiently accounted for by what I have already observed, concerning the *Tameness* of the People; a Tameness which *certain Gentlemen* must be strongly perswaded of, as is manifest from their going on unrelentingly in a continued Course of *Vexations, Injuries, Provocations and Oppressions*, grievous and heavy in the Time, and threatening *Britain* with worse and worse, and not only with sure and slow, but alas too *speedy Destruction*! But such is the Disposition of some *tame and useful Animals*; of a Horse for Instance. The poor peaceable Jade will take most unmerciful Loads on his Back, and with little good Cheer in his Belly trudge on Day after Day, till he be macerated to Skin and Bone; and yet will daily take on his Burden, till at last he drop down and die under it. But if his *Master's unjust Servant* who so barbarously oppresses him, do from Wantonness or Wickedness lash and kick and whip him about, and whip and kick and lash him about and about again; the Animal remembering the Generousness of his Kind, and his Spirit being rais'd by the Smart and Indignity of his Usage, strikes out his Heels at the *Fellow* and gives him his due Reward. The Master no longer impos'd on, Good-keeping and Plenty return to the Stables,

Stables, and the Fodder and Provender is no more purloin'd. The gallant Steeds, half-starv'd weaken'd and heartless before, do now turn sleek and gay, and able to carry their great Master to War, Victory and Glory. For him they cheerfully rush into Battle, and tread down his Foes. For him with Joy they labour in all the blessed Arts of Peace.

Redeunt Saturnia Regna!

The Objectors unwittingly suppose the Governors to blame as well as the People, when Complaints unredress'd swell into Civil War. The Theme is too large to enter on at present.

It is more frequently the Injustice of the Ruler than the Giddiness of the People that begins a Civil War, and the *Haughtiness, Oppression and Insolence* of the first than the Mutiny of the other that carries it on.

Every Grievance that calls for a Cure, is not great enough to vindicate *petitioning*. And severals which may justly call us to *petition*, yet do not call us to *Arms*. But when the Cause is sufficient, and there is no other Remedy, *Arms* are the *Right* of *Mankind*, under whatever Form or Conditions of Government, Rule or Subjection, they have been; just as much as if yet unmodelled into any Society, but remaining *in statu naturali*. To these we owe that we may still be called *free*, and are still a *People*. To these we owe the glorious Revolution, King *William*, and the present Royal Family.

The Objectors call this Intercourse of mutual Information and Advice a *Whim* that never will take Place, and that it could not signify, tho' it did take Place. But it has taken Place formerly, and therefore may again. We are a degenerate Race: Alas it is too manifest! But the Enemies of our Liberties, the

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Doers of the Constitution of *Britain*, who have done so much to destroy them, have not yet prevailed so far as quite to undo them : And there is still a Spirit in *Scotland* and *England* which will exert itself; and, by the just and brave Methods which our Law approves, and our Predecessors practis'd, will throw off the Tricks and Violence of our Oppressors, and render *Corruption* and *Threatnings* equally ineffectual.

This mutual Information and Advice (as I mentioned above) is not indeed a glaring Gimcrack, like a Quack-receit : Such become a Mountebank of State, whose Business is to strut and swagger, and by imposing on the gaping Crowd, cheats them of their Wealth and Money. But the Remedy is adapted to our Constitution, and cannot but be effectual if duly applied. And the Application is in our own Hands.

Let us call to Mind some of the great Lines of our Constitution. The Execution of the Law is the King's, and his Majesty must execute it in the Manner that the Law appoints : Yet the legislative Power is in the King and People. The one cannot without the other, either *make* or *rescind* a Law. If the People did, for this Purpose. meet in a Body with their King, their Welfare would depend on their Knowledge of their true Situation and Interest, and on their good Sense and Integrity in pursuing that true Interest of the whole Body. The People being too numerous to meet, and for other good Reasons it being much better that they be represented, the Law has laid down the Methods of pitching on and authorizing their Representatives to meet with the King, in the Name, by the Authority,

city, and for the Behoof of the People. And this Meeting is called *The Parliament*.

But a considerable Body of the People are raised above the rest and called *Peers*, who sit in Parliament by special Right and Privilege conferred on them and their several Heirs and Successors (as appointed by the Patent, &c.) the granting whereof belongs to the King, whose Prerogative it is to name and authorize them to act in Parliament for themselves, and the whole Realm. Their Creation depends on the King. But after they are created, their sitting in Parliament depends not either on his Majesty's Pleasure, nor on the Will of any of the People. And therefore they are under less Temptation, than elective Members, to be influenced by the Caprices or Projects of either the Court or People. And being by Law reckoned very particularly *Men of Honour*, they certainly may be of great Use to the Kingdom.

Since the Union of *Scotland* and *England*, the *Scots* Peers are become an *anomolous Body*; they elect a certain Number of themselves to represent the rest in Parliament; and but for one Parliament. The Law reckons these *Heteroclite Peers*, to be endowed with the same Honour as the other Peers of *Britain*. And, since they act with strict Regard to that Honour, their Virtue shines the brighter by their being only elective Members of Parliament, for thereby they are liable to more Temptation. If this illustrious Body shall ever degenerate so far, as to chuse their Representatives, not as upon Honour they think them most worthy, but as directed by others: As for Example, if they should accept of a List imposed on them by the C——rt or M——try, and

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and vote it for Place, or Pension, or Sum of Money, perhaps a very small one, &c. it will be acknowledged by all the World, that they are turn'd a Disgrace to their Country and noble Progenitors, a Reproach to the *British* Peerage, and the most dangerous (tho' contemptible) Enemies of the Kingdom and Constitution; and that, if the noble *British* Spirit be not quite gone, the other Peers and all the People will, for Self-preservation, take some Method to be rid of these *hereditary elective Lords*. But of this we are in no Danger at present.

There is still another Body of Lords called *Spiritual*, who for Life have Seats in Parliament. Whatever they be in the particular Constitution of *England*, a *Scotsman* may venture to say, They are also *anomolous* in the *British* Constitution; since by the Law of *North Britain*, no Church-man can as such have Civil Power, Post or Employment. It must be owned to the Honour of the Church of *Scotland*, that they ventur'd to incur King *James VI's* (I's) Wrath, rather than suffer any Minister to sit in Parliament, or enjoy Civil Office, and obliged those possess of such Office to quite it. One can hardly think, that the King loved the Church-men better than they did themselves; or that they being Men of the like (*sometimes the Clergy have worse*) Passions as ourselves, had not an Itch for Money, Power and Honour. Therefore, both that *cunning King*, and those *discerning Church-men*, must have thought that their having Seats in Parliament and Civil Dignities, would have made them become rather the King's than Christ's Ministry. And they reckoning the Glory of Church-men to consist in *taking heed to the Ministry, they have received from the Lord,*

that they fulfil it, chus'd to refuse obstinately these wordly Honours and Profits, which might embarrass them in their Duty or tempt them from it. And it could not but have hinder'd them to give themselves wholly to Meditation, Reading, Exhortation, and Doctrine, and have made them neglect the Gift that was in them, which was given them by Prophecy, with the laying on of the Hands of the Presbytery. So widely did they differ from those who plead for the temporal Grandeur and Wealth of Church-men, that the Church itself may be the more respected and honoured! They could not imagine, that the immediate Servants of the Church of Christ were to depart from the original Simplicity of it, or that either they or the Church itself, could deserve Respect, by throwing off their Master's plain Clothes, and decking themselves either with the K——g's or Lord Peter's Lace, and Fringes and Embroideries and Paintings, or other gawdy and rich Tappings. If there be such another Instance in the Christian World, I have not heard of it, or have forgot it.

But, to return from this Digression, Archbishops and Bishops we have in Parliament. And tho' these *Most Reverend and Right Reverend Heteroclitites* are elected by Church-men, yet they say the Election is always the same with his Majesty's Nomination. Some love to run the Parallel betwixt the *Scots* and *English Anomolous Lords*, which is not my present Business. But from whatsoever Cause it springs, 'tis said, that the Way of acting in Parliament of a great Majority of both, is wonderfully like. And from thence, I humbly suppose, it proceeds, that not a few in *North and South Britain,*

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tain, tho' of different Religious and political Denominations, think that the Island would not suffer by it, tho' none of them were in Parliament.

So far are the Seats in Parliament of *Scots* Peers and the Commons of *Britain* alike, that both obtain them by Election of their respective Peers, *i. e.* of their Equals as to the great Distinction of Lords and Commoners, and both for one Parliament only, and they cannot go to another except they be again elected. Therefore much of what may be said of the Electors and Elected among the Commoners, may be applied to the *Scots* Peers. But having given this Hint, and without any further considering of these Peers, I proceed to the Commoners.

The People, as I said above, are too numerous to meet in a Body; and therefore are divided into Classes of Counties and Burrows, to chuse their several Representatives. And even in the Election, the Law intrusts *certain of them* to represent the rest in electing their common Representatives in Parliament. Thus the Member of Parliament elected, is the Representative of all the Commoners in the Class or District for which he is chosen. And he and the other elected Members represent the whole Kingdom, and meet with the King in Parliament for the Country, and by the inherent Right of their Constituents. They are as Mids-men between the King and People; and ought to have that Affection, Dutifulness and Loyalty to the King, that is by Law and Reason required of all the People; and that tender zealous Regard for the Liberty and Property, Rights and Privileges of the People

People, as the People who are their Constituents have themselves.

But the People are generally at a Distance from Parliament in so long a Country as *Britain*, whose Parliament sits almost at one End of it. And they are taken up with their own particular Affairs, and most of them know but little of what is done out of their own Neighbourhood, and but little of what their Parliament does, and still less of the Conduct of particular Members. And their Representatives expect no more Benefit by them; but many of them expect and ask Favours from their Representatives. That many did so in former Days, and made *Getting* the Condition of *Electing*, appears from our Laws against *Bribery and Corruption*; against which also the express Laws of GOD in the Scriptures are plain and positive. But the C——rt and M——ry is always near the Parliament, and observe the Behaviour of every Member, and have Projects and Designs to carry on, sometimes such as are hurtful to the People, or that catching Advantage of present Straits delude them into perpetual Slavery.

When *Joseph* was taken to C——rt, the Wisdom he got by special Revelation from GOD, rais'd him to be *Prime M——r*. Before he was exalted to that great Trust, he advised *Pharaoh* to do his Duty, as Father and King of the People, to preserve them and the Land from the approaching Dearth; But how did *Joseph* himself, when he had long been *Prime M——r*, execute it? He made the People sell themselves and their Lands to *Pharaoh* for Bread! And when he had reduced them to be Slaves, that the Memory of their *Liberty and Property* might not entice them to claim it any more, he

He removed them from the Habitations, *once their own*, to other Cities that they possess as the King's Servants, and Labourers of his Land. Yet *Joseph* did not cheat *Pharaoh*, but the People only. He brought their Money into *Pharaoh's* House, and not into his own. He brought the People to be *Pharaoh's* Servants, and not his own Servants, and the Land to be *Pharaoh's*, and took not any for himself or his Family, which he did not enrich and raise to Greatness, but left his Children on a Level with their Neighbours. What he did with the *Egyptian*-Cattle we are not told. Of these perhaps many went to the *Land of Goshen*. And he suffer'd the Priests (tho' Priests of gross Idolatry) to retain their Lands, probably that they might confirm the new Slavery, and consecrate the new-crected absolute Monarchy with pretended Divine Right ; and that his Wife's Family might continue to be Princes as well as Priests of *On*. 'Tis hardly possible to suppose, that a Man, otherwise a very good Man, could have been tempted to project and execute deliberately and for a Tract of Years, such *political Wickedness*, if he had not been led aside by some private Views ; and that having so mighty Power with the King and over the People, he could have found in his Heart to enslave so great a Nation, and do no Service to his own Kindred. Yet I *acknowledge*, that the Lust of continuing one's *personal* Power goes very far. We have in our own Days seen a *Prime M——r* do bad Things, and yet neither enrich himself nor his Family. If it ever happens *Britain* to be under a *Prime M——r*, not quite so good a Man as *Joseph*, who imposes and preys on the King as well

as on the People, who heaps up immense Wealth insatiably and endlessly for himself and his Family, whose Projects are as destructive to the Kingdom as advantageous for himself, Will it not be Time for all true Britons to exert themselves for the Liberty and Property of their Country? Can they be render'd so weak or dastardly, as by any Strait or Incident, by any deluding Tale or private Profit or Dignity, to look on unactively, till that rapacious Prime M——r bring his Projects to bear, and reduce them to be Bond-men, and to possess the Lands now their own only as (in the Phrase of the old English Law) the K——g's, or rather the M——r's Villains? *

If the Kingdom was so unhappy as to be under a M——ry that had such Projects to drive on, yet the M——ry could not do it as we are as yet constituted, without the Concurrence of a Majority of the Members of Parliament. The Good of their Constituents and Country for which they were sent to Parliament, and are indispensibly bound in Conscience

* Villain, a villa from a Country-farm, whereunto they were deputed to do Service; as Villains regardant to Manors were, *gleba adscriptum*, tied to the Turf: Or, from the Word *vils*, of his vile and base Condition. The worst Sort of Villenage was, where the Person of the Tenant was bound to do unto his Lord some particular base Service, or to do generally whatsoever base Service his Lord will command and impose. The Slavery of this Custom received its Death's Wound in *favorem libertatis*: For, as Sir Edward Coke says out of *Porteseye*, *Impius & crudelis iudicandus qui libertati non favet*; and gives this as the Reason of it, *Anglia jura in omni casu dant favorem libertati*. Leigh. Cowel. May such be the Law of Britain for ever!

ence and Honour to act for with Integrity and Firmness, opposes their Concurrence. But as such Projects would persuade, so the Success of them would enable such a M——ry to make the private Interest of the Members induce them to betray the publick Interest. Then we should see an Intercourse of Corruption from the Great M——r down to the meanest Person who has Influence with the meanest Elector. The M——r would bribe and corrupt the Members; and they, by their own or the M——r's Money, would bribe and corrupt the Electors.

And then we might hear of Townships who would, as the Price of their electing, demand a Bribe, if not to particular Men, yet to the Community, and corruptly and ridiculously call it publick Spirit, by getting for the Town to prefer the Slave, who has acted, or visibly is to act against his Country, and has of his own or from the M——r to give the Bribe to the Town; unto an honest poorer Man oppos'd or unsupported by the M——r, But who will maintain his Country's Cause. If a Township may lawfully take a Bribe, so may a particular Elector. And, if it be lawful for a Burrow to prefer the present private Interest of the Corporation (which is but a private Interest, in respect of the Interest of the whole Kingdom) unto the just Advantage, the Rights and Liberties of all the Country, it must also be lawful for a particular Man or Family to do the same. And this Procedure of any Incorporation, is equally silly as it is sinful: For if the Liberty and Property of the Kingdom be ruin'd, so must theirs also be, and their ill-got Money or Benefits

must perish with themselves. If a Township say, What is it to our Burgh, if the Nation be flourishing, but our Town be left to sink? Such is the Language of every private self-interested K---ve; and no Town can be undone in a free and flourishing Kingdom, if the Inhabitants be honest and industrious.

In those woful corrupt Days, we shall hear such Reasons commonly given why one will be elected; He has given, or will give so much to such and such Electors; he has got, or can and will get such an Elector, or his Child, Brother, Relation or Friend, a Post, Pension or Employment, or other Favour. And we shall hear the Electors say openly, and without a Blush, that it is good their Part to vote for so kind and friendly a Man. But he acts against the Liberty and Wealth of your Country, and you know that he will again do so. *Well!* but he acts for me and my Friends: And he who is the stanch Man for the Nation, has done nothing for us, and has not so much Interest and Favour to get Things to us. Thus those who concur with a *corrupt* and *corrupting M---ry*, must always prevail with a corrupt Country and corrupt Electors: For such are the Men who will have most Interest and Favour to procure these private Benefits; and such will be assisted in it, that they may be continued to assist in ruining the Nation. Will you then barter your Liberty, and the Rights and Privileges of your Country for private Gain? Thus the Representatives of the People become Brokers for the *M---ry*, to get the Country sold to them; and the *M---ry* pays the Brokerage. In such unhappy Days we shall hear it said openly and impudently,

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dently, since the Elected get by going to Parliament; Why should not we get for sending them to it? Their Corruption will not be punished, but made a Pattern for being as corrupt as they are.

A People in this dismal Situation cannot long continue free. It is impossible by the Nature and Course of human Affairs; and the Histories of all the enslav'd, but once free, Nations shew it to a Demonstration. The same Course that has constantly and necessarily enslav'd others, must also render us Slaves.

What Way can we take to prevent our falling into that most miserable and woful Case? We see it proceeds from a corrupt Correspondence betwixt the M——ry and Members of Parliament. Therefore the natural and effectual Way is, to break that most base and criminal Correspondence, and to introduce and keep up an honest Correspondence betwixt the Members of Parliament and their Constituents and Country. Those whom One must correspond with about Matters, those he must and will infallibly endeavour to satisfy and please about these Matters. If he do not, the Correspondence must be given up, or be a Correspondence of Quarrelling and Anger; and then also it cannot last, if those he corresponds with do not yield to him. So we see it in all Correspondence whatsoever. If he will not satisfy them, then they will as soon as they can throw him off; and, rather than incur that Prejudice, he will satisfy them, in case he pretends to use their Favour any more. If they yield to him without being satisfied it is their own Faults, and either they are silly or corrupted. If they yield to him from Conviction and Reason, then all is

right, and both he and they act like honest and wise Men. And thus in every Event, such Correspondence must have the desired Effect, if those corresponded with be faithful to themselves. And except the Majority of them be Fools or corrupted, this very Correspondence will greatly help to keep them all honest and faithful, and to restore corrupt Persons to Uprightness: For Men naturally desire to be approved of by those they converse with; and he must be a Villain indeed, who can unconcernedly bear the Reputation of a Villain among his Neighbours, when his Conscience tells him he is a Villain.

If it be an unjust Reproach cast upon him because he is steddily honest, he is the more heroically virtuous who continues in his Uprightness, and (after the greatest Example that ever was, or can be on Earth) *endures that Cross, and despises the Shame.* And further, the Subject and Manner of this Correspondence ought to be such as leads to Firmness, Integrity and publick Spirit. Yet I confess that subtle, active Rogues may, by various Tricks and Artifices, overturn all this. But so may happen in every human Affair, which yet does not hinder us to use the best Means we can. And it will cost them much Artifice, Pains and Time, to turn aside and pervert a publick Spirit that once gets Footing in a Country. Remarkable Instances of this might be produced. And we are not to suppose that honest Men are to be inadvertent or unactive when Rogues are at Work, but will endeavour to discover and disappoint them.

This Correspondence is that Intercourse of Information and Advice frequently mention'd above.

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The Member of Parliament representing the People in that Part of the Country which elected him, ought undoubtedly to know their Case and Circumstances, that he may be capable to serve them. And this Knowledge he cannot get but from themselves, and by the Observations he makes when he is among them. He ought to know their Genius and Tempers, the Situation of their Country, what it is fit for and what it is exposed to, what it has and what it wants, their Corn and Cattle, Trade and Manufactures, their Shipping, or other Conveyances of Goods, their Money, Manner of Living, and whence their Profit or Loss Conveniencies or Inconveniencies arise. Thus he will, and thus only he can, know what Laws, and what Administration of Law befits them. Of these Things you will seldom find at present any that have distinct and well-grounded Knowledge: And what we now hear spoken of them is for the most Part but superficial, and very often mistaken, vain Babbling. But this Method would induce and oblige both the Member of Parliament and his Constituents to endeavour to know and understand better, and thence they would see their true and real Interest. And if all the Members of Parliament met thus instructed, *the House* would fully know the Concerns of the Kingdom, and by comparing the different Parts what was best for the Whole. By them would the King be truly and sincerely acquainted of the State of his Kingdom and People, without Colouring or Disguise, by such too often Kings are beguiled and misled. Then would the Laws be well adapted to the Case of the People, the Taxes proportion'd to their Ability, and the Ways and Means be such as would

would least burden and vex them. And we would not hear it so often complain'd of, that a Statute about Trade went on Mistakes, and did no Good, but rather Hurt.

At the same Time, it is incumbent on the Member of Parliament to inform his Constituents of what he learns from the other Members about the State and Condition of the other Parts of the Kingdom. And by this he will have Opportunity to acquaint them of Matters of the greatest Use to them. There are better Fashions and Manners of doing, better OEconomy, Tillage, Methods of Trade and Manufacturing, in some Places than others. And what one Part of the Country wants another has; by knowing of which they understand how to proportion their Trade. And from their Representative the People ought to learn the State and Condition of the Kingdom in general as to Government, Industry, Trade, and Husbandry of all Sorts, &c. And since the Member of Parliament is sent thither by the People for their own Behoof, it must be his Duty to inform them faithfully of what passes in it. And he being as a Mids-Man between the King and People, it must also be his Duty to give the People he represents right Notions of his Majesty and his Government, so that they may be loyal to their Prince as well as to their Country. This certainly is of great Importance. For if the King govern right, nothing can be more hurtful to the Publick than to misunderstand him. And it is also most prejudicial, to make an undue Use of the Mistakes and Errors or Faults of his Government. No Government ever was or will be free from Faults, because no Man is or ever will be free from them. If we drive our

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Resentment or Uneasiness to an undue Height against our Neighbours, Friends or Relations, because of their Faults, we shall be quite impracticable, and must go out of the World. He is a good and a wise Man who beareth much at the Hands of his Friends. Yet he will not be thought ill-natur'd, tho' he lay to Heart the gross Injuries they do to him, and lawfully endeavour to restrain them; and tho' he do not suffer them to destroy him. Much less will he be blam'd for not permitting their Servants to insult, beat, and plunder him. The Application is easy.

As to Intercourse by Advice I have said enough above.

The many other Advantages that would proceed from this Correspondence, it is not my Business at present to insist on. That it would strongly help to render and keep the Members and their Constituents honest to their Country, I have already shew'd. When a Member of Parliament knows that he must discourse with his Electors and Country on his Conduct, it obliges him to advert. And tho' he may sometimes cheat them, yet it must at any Rate lay him under Restraint. If any One wants not to offend some great Friend and Patron, nor yet to sacrifice his Conscience, he will find it for his Service to have it to say to the great Man, ——— My Electors will be angry, and throw me off! A Hint is enough to such Gentlemen: I need not say more of it.

It will be ask'd, How this Correspondence shall be obtain'd, and how carried on? To obtain it is very easy, if the Electors will but insist on it. One cannot be so shameless as to desire those to do him the
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Favour to elect him, who will not be at the Pains to write to them, nor do them the Honour to converse with them. And if he fail in it once, it is their own Faults if he does a second Time; for they need not chuse him again.

In Time of Parliament, or when the Person elected is at a Distance, all this must be carried on by Letters. The Freedom of the Press, so justly valued as one of the great Means of our Freedom, makes it much easier for Members of Parliament to inform his Electors of the Proceedings in Parliament, and of publick Affairs. Hardly any Matters happens of Consequence, but we very soon see some Thing printed about it on both Sides. If he makes a judicious Choice, he cannot be at a Loss to find proper Things to send to them. And if he send to them only on one Side, they can put him to it to send them likewise on the other. The Force it has to explain and argue publick Affairs openly in Print, to be read by all, we know by Experience, and by the Earnestness of *certain Gentlemen* to suppress or discourage that great Mean of our Liberty. The Assistance he may have by such printed Papers, and what he ought himself to write to his Constituents, would answer all the good Purposes of the Correspondence on his Side; of which he by no Means acquits himself, who only sends to them the common News-Papers and Votes.

The Establishment of publick Posts might render this Intercourse by Letters very easy, especially since Letters to a Member of Parliament, or frank'd by him, are transmitted *gratis*. But how the Kingdom is used in this Matter is complain'd of by every Body. Most Letters are said to be open'd at the

Post.

Post-house, and that frequently Letters are sunk there, and never deliver'd. If a Member of Parliament's Behaviour in Parliament be not to the Taste of *certain Gentlemen*, 'tis said that the Pacquets he sends to his Constituents are mostly open'd at the Post-house, and that sometimes the Papers he sends are taken out, and others put in their Place. It is certain, that Men of undoubted Veracity do openly and loudly pretend to give many Instances of it. This vile Practice is unheard of in other Nations, and even in those who are unhappily under *absolute Government*. The Loss of their Liberty has not yet prevail'd on their Masters to treat them so ill in this Matter, as we are said to be with all our boasted Liberty. Thus the Secrets of the private Affairs of Persons and Families are propal'd, and the Secrets of every Man's Trade and private Dealings are discover'd to *certain Gentlemen*, who are thereby instructed how to corrupt or oppress.

That the Practice is illegal, appears by the Act 9. A. C. 10. §. 40, 41. intituled, *An Act for establishing a General Post-Office for all her Majesty's Dominions*, &c. where such Abuses are declared to be to the great Discouragement of Trade, Commerce and Correspondence; and every Person, from the Postmaster-General down to the meanest Creature concerned in receiving, sorting or delivering of Letters or Pacquets, is declared incapable to hold, use, or exercise such Employment, till first he shall have taken the following Oath, before a Justice of the Peace for the Place where such Person resides. The Oath I'll set down *verbatim*, as being a Summary of that Part of the Act of Parliament,

Wm. W. 1710. c. 11. §. 40, 41.

I A, B. do swear, That I will not wittingly, willingly, or knowingly open, detain or delay, or cause, procure, permit, or suffer to be opened, detained, or delayed any Letter or Letters, Pacquet or Pacquets, which shall come into my Hands, Power or Custody, by Reason of my Employment in or relating to the Post-Office, except by the Consent of the Person or Persons to whom the same is or shall be directed, or by an express Warrant in Writing under the Hand of one of the principal Secretaries of State for that Purpose; or except in such Cases where the Party or Parties to whom such Letter or Letters, Pacquet or Pacquets, shall be directed, or who is or hereby are chargeable with the Payment of the Port or Ports thereof, shall refuse or neglect to pay the same; and except such Letters or Pacquets as shall be returned for Want of true Directions, or when the Party or Parties to whom the same is or shall be directed, cannot be found; And that I will not any Way imbezil any such Letter or Letters, Pacquet or Pacquets, as aforesaid.

Whoever offend in any of these Ways, shall for each Offence forfeit 20 L. Sterling, to be recovered, if in South-Britain, in any of the Courts of Westminster; and, if in Scotland, in the Court of Session or Exchequer there; and the Penalty is to be recover'd by such Person or Persons as will inform or sue for the same, together with full Costs of Suit. And, over and above such Penalty, the Person offending shall be for ever incapable of having, using, exercising or enjoying any Office, Trust or Employment in or relating unto the Post-Office, or any Branch thereof.

The Exception in the Act as to the Warrants from

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a Secretary of State, being somewhat fuller than as repeated in the Oath, it is fit to set it down, viz. *Except by an exprefs Warrant in Writing under the Hand of one of the principal Secretaries of State for every such Opening, Detaining or Delaying.* A general Warrant is not sufficient, there must be one for every such Opening, Detaining or Delaying. It is plain, that the Law intended to reserve this Power to the Government, to be used on particular Occasions, when there is good Reason to suspect Letters to be against the Law and Government; but not to be used arbitrarily and for no just Reason; not to be used in an ordinary continued Course every Post, to satisfy the Curiosity, or help forward the particular Projects of any M——r or Person whatsoever otherwise the Exception would not have been so strait as to require a Warrant for every such Opening, &c. And it is obvious to common Sense, that great Bundles of such Warrants signed with a Blank for naming the Letter to be open'd detain'd or delay'd, and lying in the Post-Office, to be filled up by the Persons imployed to play the Trick, are no better than a general Warrant; and that this is plainly to elude and defraud the Law.

Thus the Post-Office, which was established to encourage Trade, Commerce and Correspondence, becomes a Snare and Trap for betraying of them. And the Case is the more grievous, because this Office is supported by the Money immediately paid in by the Correspondents. They pay, that their Letters and Pacquets may be safely and honestly deliver'd to their Friends, having the Faith and Honour of the Government and Law that they will be so deliver'd: And yet they are first open'd and

read by such as the M——ry appoint ; they are delay'd, and perhaps detain'd for ever. And these Payments are so considerable, as not only to maintain the Post-Offices, but to raise to the Crown a great Revenue beside.

The Liberty of the Press (blest be God) dare not be directly restrain'd. But, is it lawful to transgress the Law established by this Act of Parliament, in order to stop the dispersing of what the Law would not stop the Printing and Vending? Is it lawful to transgress this Law, in order to discourage and hinder or pervert the Correspondence betwixt a Member of Parliament and his Constituents about their Affairs in Parliament, and his own Conduct in them, tho' his Conduct be legal, yet not slavishly obsequious? This is a manifest Encroachment on the Freedom and Liberty of the Subject, and on the Privilege of Members of Parliament, in their most important Concerns. The Law authorizes and enjoins them to correspond, and favours their Correspondence so much, that their Letters and Pacquets should go free. But, by this Criminal Practice, their Correspondence is stopt and turn'd against them. Who have not complain'd of this in their Turns ! And yet it is said, That the Abuse goes on, and nothing is attempted to restrain it. If it be so, then surely it is an Instance of what I advanced above, of the *Tameness* of the People in bearing illegal Oppression.

When the Member of Parliament is among his Electors, and those he represents, they ought undoubtedly to converse openly and freely together on all the Matters above-mentioned. It were a Shame and

and Disgrace if they met for eating and drinking and Riot, rather than about their most weighty Affairs; and if all their Conversation about these grave and serious Matters, was but *Chat* over a Bottle or a Bowl. They ought to be talk'd of thoroughly and till well understood, and till the Representative and his Constituents understand one another about them. And what cannot be done at one Conversation, should be attempted at another. Allow me, *my Countrymen*, to use a little Freedom with you. How seldom has this been your Practice? Why do you thus neglect yourselves, your Country and Posterity? When we hear of Meetings betwixt a Member of Parliament and his Constituents, what are the Accounts of them? Whether do we hear of Coxing, Cajolling and Carouzing, or of giving Information and Advice, and taking Counsel together about the Affairs of the Kingdom, and of that particular Part of the Country? Is this worthy of Men who have at Heart their real Interest, and the Welfare of the Kingdom, that is, the true and inseparable Interest of King and Country?

If you continue thus, no Wonder if you be imposed on and deluded. It is easy for an Enemy to his Country to hide himself and bambouze you, in general, confus'd, unconnected Talk at a Bottle; where a Bumper resolves Doubts, answers Objections, and makes the sillyest Stuff pass for sufficient Argument; and at which it may happen that an Enemy, or a worthless ignorant Fellow, can acquit himself better than an intelligent Man of Merit and Lover of his Country.

But here I expect it will be cried, What! May we not eat and drink together and be merry? Is not

not Hospitality a good Thing? And must the Member of Parliament and his Constituents converse together as obsequiously as a Parcel of Monks? This is contrary to the constant and universal Practice of *Britain*. I don't at all say that they may not eat and drink, and be merry together. But it is certain that this ought not always to be the End and Business of their Meeting. It is certain that their Meetings ought most frequently to be on the Affairs for which they elect One to represent them in Parliament, and which his going thither for them must bring under their Consideration if they be Men of Sense. This being seriously and solidly minded, why not, eat, drink and be merry together. When you have Matters of such Consequence to transact, if you neglect them, and consume your Time wholly in Feasting, it is a Meeting of Hogs, and not of Men. Mind your Business and the Business of your Country, and then be merry. And if you find that you have been bamboozl'd and bit by your Representative, or that a Candidate intends to treat you so still, One would think that your Mirth with him cannot be very agreeable, nor the Meat and Drink relishing.

It will also be ask'd, on what I said above about private personal Favours, Whether it be unlawful and corrupt for a Member of Parliament to get such for his Constituents or their Friends? I answer, That it is quite the contrary, it is his Duty, and commendable. If he be really a Lover of his Country, he will do all the Good he can to his Countrymen; and as he has the Honour to be trusted by such a Part of the Country, he is particular-

Mem- obliged to serve all concerned in it. But when
se to- private personal Favours are used only as Allure-
This- ments to procure Votes, and that on Account of
ice of- such Favours the Electors do vote for One otherwise
ot ear- undeserving : When this private Interest is preferr'd
cer- to the Interest of the Publick, and induces an Ele-
d and- ctor to be for One whom he does not in his Consci-
their- ence believe to be a fit Man ; or to prefer One who
e Af- has acted, or that there is Reason to expect will
em in- act, on other Views than the Good of the Country, to
them- a Man who always appeared for it, and that he has
Men- Reason to believe will honestly and firmly act for it
nded, still ; this is as vile Corruption, as if the Votes were
When- sold and bought for a Sum of Money. Yet we have
infact, heard of Electors, and others in Counties and Bur-
whol- rows, who have express'd the highest Indignation at
not of- the Conduct of their Representatives in Parliament
your- in the most weighty Points, and whereby the Liber-
d that- ty and Trade of the Kingdom would have been de-
epre- stroyed ; and we have seen and heard these very Re-
e you- presentatives so far from repenting, go on in that
n him- Course, and openly speak for it ; and yet we have
Drink- also seen and heard the Gentlemen so highly and
about- justly offended with them, turn Advocates for chu-
lawful- sing them again, in Opposition to the Asserters of
o get- their Country's Cause. The Reason as to them all
answer, has been known to the World, and by some of
and- themselves impudently own'd, to be the Receipt or
his- Promise, sometimes but the slender Expectation,
to his- of such private Favours, from these Representa-
e tru- tives whom they had cried out against, or from their
ular- Patrons. And to increase the Wonder, those base
ly- Betrayers of their Country for private Advantages,
that is, for Bribes, have, after their Shame was
known

known and publick, endured perhaps a few Joakes and now and then a Reproof from some honest Men and yet have gone about as before, and been as well received as the best! Has Virtue, has Honour left our Land? Are we sunk in the Dregs of general Corruption and Infamy? *O Gens vilis & ad servitutem nata!*

But there remains another Objection, which no doubt will ly heavy at the Heart of a fine delicate Beau, *i. e.* a Fop, of a *Bon-Companion*, *Anglice* a Sot; of an ignorant Country Squire or Laird, silly proud of his Family or Fortune, who by some is called a *Booby*, &c. If this Doctrine obtain, how shall these, and others as meritorious, get into Parliament? Who will chuse them? And if they happen to get in, how can they act? I yield the Objection is true. But it should not be called an Objection, but an Argument that none of them ought to be sent to Parliament. They have not the Qualifications of a Parliament-Man, and are by no Means capable of the Duties that he owes to his Electors, to his King and Country. None of us would trust them with our own private Affairs of Consequence. How then can we answer to our Consciences, to GOD, and our Country, if we trust them with the Affairs of the Kingdom? A Parliament-Man is to be a Man of Business. He is pitch'd on for that very Purpose, to do Business of the greatest Consequence. And he cannot do it, if he be not a Man of Understanding, of Application and of Honour. But of this I'll say no more here; the Qualifications and Duties of a Member of Parliament deserving to be handled in a particular Treatise, and to be considered thorowly.

As our Man, who recommends rattle-heads with the tolerably in what his sentiments are duct with ails, and enquired fair at the not regard their Element, after it in the Correspondence elected, and you of Merit gain sent The E of Scotland Right of Britain ber prevent dence can ection it in our Cases given Excise-Sufficiently seedling n Elector,

As our Elections have commonly proceeded, if a Man, whatever he be, has Friends of Interest to recommend him; if he be a forward assuming (tho' rattle-headed and superficial) Fellow, if he abound with the *prevailing* Argument; if he can behave tolerably in common Conversation or at a Bottle; what his solid Qualifications are, and what his Sentiments as to his Country, what has been his Conduct with respect to it, and what Honesty, Firmness, and Honour is in him, are Things not much enquired into. All of them speak plausibly and fair at their Election and before it, tho' they should not regard one Word of what they have said, nor their Electors and Country, or Business of Parliament, after they are elected. Therefore put them to it in the Ways I have shewn, keep them to the Correspondence, and you not only try them before elected, but hold them to their Duty afterwards; and you cannot but discover whether they be Men of Merit and Honour, whether they ought to be again sent to Parliament, or not.

The Electors are not very numerous in any Part of *Scotland*. Perhaps it were better for us, that the Right of electing was more diffus'd as it is in *South-Britain*. But the Smallness of their present Number prevents the Objection, that such a Correspondence cannot be kept up with a Multitude. The Objection itself is not good, tho' there was Place for it in our Case, as there is not. We see by the Instances given in the Excerpt from the *Review of the Excise-Scheme*, that this Correspondence has been anciently in *England*, where the Electors are so exceeding numerous. Supposing every Man was an Elector, that is the whole People, it would not be

hard to know the Mind of the Generality of them, and the Minds of the Generality of the different Sets and Parties among them; nor yet would it be hard to converse by Letters or Word of Mouth, with the most sensible, the principal and leading Men, and such as deserve best to be regarded, and who hold Correspondence with the rest in the largest Town or County. Therefore this Objection cannot be thought sufficient against what I must further notice, because I think it of Importance to our Country, *viz.* the Correspondence, the Information and Advice, so much urged, ought not only to be betwixt the Member of Parliament and his Electors, but the Member of Parliament and the Electors ought to maintain it with all the Country in their Class or District.

At an Election the Electors represent the whole Country, as afterwards the Person elected represents the Electors, and the rest of the Country in Parliament. Anciently in *Scotland* every One who held Land of the Crown went to Parliament in his own Right, as now the *British* Peers do. At Length they went not all personally to Parliament, but by Representation; and the Representative acted and voted for the rest. And the Right of electing came to be allowed only to *certain* of the rest, according to the Value of their Lands. Yet those who went not personally to Parliament, and these who did not vote at the Elections, remain'd Freeholders and free Subjects as well as the Member of Parliament, and as well as his Electors. And consequently *all* were represented in Parliament. In a *Scots* Burgh, the Town-Council elects the Representative, and since the Union so it remains in the Town of *Edinburgh*,

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and in the rest of the Towns the Council chuses the Delegate, and he and the Delegates for the other Towns in the District, elect the Member of Parliament. But this Town-Council is itself annually elected to represent the other Burgeses and do their Affairs; and by the Power they receive at their own Election, they elected their Member of Parliament, and now elect their Delegate, just as thereby they were impowered to act in the other Affairs of the Town. Consequently the Council representing the rest of the Town in chusing Member of Parliament or Delegate, the Member elected represents them all in Parliament.

Further, our Constitution, GOD be thanked, admits not of Slavery. There are no Slaves in Britain, but those worthless mercenary Scoundrels who born free, and still so by Law, do render it up *de facto*, and enslave themselves for Pelf. Every British Man in his own Country Britain is free. The great Foundation, and chief Part of this Freedom, is that he is govern'd by Laws made with his own Consent by his Representative in Parliament, or by Laws to which his Predecessors consented in the same Manner, and therefore it must be reckoned that every free British either sits or is represented in Parliament. If it were otherwise, then in England he who has a Coppy-hold of 1000 L. yearly, or a Freehold yearly worth 39 *sh.* 11 *d.* and in Scotland he who has Lands holding of a Subject worth 200 L. Scots per Annum, or holding of the King, and of the yearly old Extent of 39 *sh.* 11 *d.* Scots, or of the yearly new Extent of 399 L. 19 *sh.* 11 *d.* is no better in this Respect than an unnaturaliz'd Frenchman, German,

Hotintot, who resides among us. The Land indeed is before them, and they may trade in it, and having Success may purchase such Lands, or such Membership of an Incorporation, &c. as may entitle them to say they are free *British* Subjects. Till then they are Subjects, 'tis true, but in the strongest Sense; subjected to us and to our Laws, subjected to the Laws that we make, as a *Frenchman* is to the Edicts of his *Grand Monarque*. GOD forbid that the greatest Part of *Britons* should be reckon'd in that abject Condition of despicable Slavery!

But *Britain* is not yet so miserable. A Copy-Holder, or the Vassal of a Subject, he who has a Freehold, or holds Lands of the Crown of too small Value, the poor Day-Labourer, the rich money'd Man who has no Land nor is Member of any Corporation, is represented in Parliament as well as the greatest Knight, Squire or Laird, or as the Lord Provost of *Edinburgh*, or Lord Mayor of *London*.

This Right of electing rolls about among the free Subjects in *Scotland*. Those who were of the Town-Council which elected for the present Parliament, are not to elect for the next. Other Men are now Counsellors, and those who then were in the Government of the Town, are now among the Governed. But still they are Burgeses and free-born Subjects, and still they are represented in Parliament as they were then. Men who at last Election had no Land, or of too small Extent, or holding of a Subject, now have good Estates holding of the Crown; and those who were in that Case six Years ago, are now brought down to the lower Circumstances which these Men, now so flourishing, were in at that Time. This makes a great Difference of their

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their Estates, but none as to their Liberty, and being free Subjects. The Root of Liberty is in every Briton, altho' it appears in different Men according to the different Accidents it meets with. But still the Root remains, and all the Shoots are of the same Nature and Kind. The Law, the Liberty and Property, the common Rights and Privileges of the Subjects are the Birth-Right, and belong to every British Man in the Island, as well as to the greatest Duke or Knight.

There is Mr. ———, who holds of Mr. ——— his Estate, that yields him 200 *L. Sterling* yearly, perhaps more, and it may be less. None knows the Affairs of the Country better, nor is a more sensible honest Gentleman. There is Mr. ——— of such a Burgh of Regality or Barony. He has Ships, and drives a considerable foreign Trade; as his Neighbour Mr. ——— does an inland Trade. And both of them are mighty honest understanding Men. *John* ——— the Farmer at ———, knows the Husbandry of that Part of the Country exactly, and how Corn and Cattle go off. No Man knows the Coal-Trade, and the Working of Coal-Mines better than honest Mr. ——— Coal-grieve to my Lord ———. The Weaver *James* ——— understands the Linen, or some Parts of the Woollen Manufactures, exceeding well. None of these Men are Electors, but all of them are represented in Parliament, and have their Stakes in the Country. Can our Member of Parliament do better than advise with them about the Affairs of the Country they are concerned with, and what is good or hurtful for it? And don't these worthy honest People deserve to be informed by our Member of Parliament

ment, of the State of the publick Affairs of the Nation?

But after all I have said, I am sensible that saying the justest and most moving Things in the World about our Constitution, our present Situation and Condition, the Means of setting and keeping us right, signifies nothing if the National Honour and Spirit be gone. All acknowledge that these are under a terrible Decay. But there are still worthy Men among us, too sharp-sighted and intelligent to be gull'd, their Honesty is above Corruption, and they have Resolution to encounter Dangers, and to bear Losses for their dear Country. Our Country has in former Ages been brought to the last Extremity, and seem'd dead beyond all Hopes of reviving. Yet a very few brave Men have retrieved it. There are still many among us who have the Cause of their Country at Heart, tho' the Generality seem to be under a Languishment, a Faint-heartedness and Despondency.

Towards the Ending of the Reign of King *James VI.* (I.) when he was led by his insolent rapacious Favourites, and by the Help of bad Parliaments, had begun arbitrary Government, and by bad General Assemblies, had brought Innovations into the Church, and proceeded violently against the honest Opposers of them, and took Advantage of every uncautious Step they made to trip up their Heels: In those Days it seems there remain'd little Spirit among our Forefathers, but Faintness and Deadness possess'd every Heart. I have seen several Pamphlets that were then published; and from one that is not easily found I'll transcribe a Passage or two. Thus he writes, only I take the Freedom to bring his

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his anticipated Syllabication nearer to the modern;
that it may be read with less Pain.

“ Let us not, *my dear Countrymen*, bes fool our-
“ selves any longer. Do not imagine that Statef-
“ men and Favourites, already swell’d up to the
“ Power and Wealth of Kings, can ever be satis-
“ fied. No; they will continually, with the
“ Horse-leech’s Daughter, cry, Give, give, and ne-
“ ver say, It is enough. The greater their Power
“ be, and the longer it lasts, the worse Will have
“ they to moderate their Procedure, and the more
“ regardless of all Men and insolent to every Bo-
“ dy do they turn, believing their Power perpetual.
“ Yet they grow unsufferably jealous of all the
“ Earth, from the Consciousness of their own Fal-
“ shood, and of their cruel Deceits, Injuries and
“ ruinous Oppressions to the Publick, and to Mul-
“ titudes of private Persons and Families; and not
“ to their Foes only, but to their Friends, to whom
“ for long and many Services they have return’d bro-
“ ken Faith, Mischief and Disgrace; which their
“ guilty terrify’d Hearts telling them will never be
“ pardon’d, they cease not to pursue the Innocent,
“ oppress’d with malicious Spite. Their Kindness is
“ as constant to the Knaves they are habituated to,
“ and who have gain’d their Hearts, by serving
“ them in all their Vices, and being secret to their
“ Villanies, and whose perverse Hearts sounding
“ Unifone to theirs, and prompting to yield ready
“ Obedience to every wicked Draught, they cannot
“ be parted with, and like a Guard on their Ma-
“ sters keep honest Men at a Distance from them.
“ Such Statesmen more readily do some Good at
“ the Commencement of their Administration than
“ after-

afterwards. At first they are more cautious and
 careful to please. At length having corrupted
 a strong Party to their Service, and brought the
 Spirits of the People into Awe and Dread of
 them, and to the Custom of bearing their Yoke,
 they proceed without Fear or Restraint, and turn
 daily more stiff in their own Ways, and more
 inexorable to the Cry of the People. But it
 pierces Heaven, and reaches the Throne of the
 most High, and in Mercy to them he sends down
 his Vengeance on these unrelenting Statesmen;
 and their Places know them no more; When a
 wicked Haman mistakes the Queen's Projects to
 be Favours to him, (the Queen, whose Request
 the King so readily grants, even to the Half of
 the Kingdom) yet then Evil is determined against
 him, and suddenly he is order'd to be hang'd on
 the Gallows which he made for honest Mordecai.
 Remember the Temper and Disposition of this
 Haman, the Glory of his Riches, and all the
 Things wherein the King had promoted him;
 and his being advanced above the Princes
 and Servants of the King; and the Queen's
 gracing him in a Manner so peculiar; all
 this avail'd him nothing, so long as he saw
 Mordecai sitting in the Gate, who refused
 to bow to him, and do him Reverence as the
 King's Servants did. For this, Haman was full
 of Wrath, Mordecai alone was too small a
 Sacrifice to his Fury; and therefore he sought to
 destroy all his Kind throughout the whole King-
 dom. His Wrath was at Mordecai, who had
 done the King signal Service; and yet neither
 Honour nor Dignity, nor any good Thing had
 been

been done for him. All these were for *Haman* and his Friends. And the Encouragement he determined for the King's Friend whom he loved not, was the Gallows, which he ordered to be made and kept in his House till he should get the King wrought upon to pronounce the dismal Doom; tho' *Haman* could not have countervail the Kings Damage thereby.

"The Violence that was lately begun against Men for being honest, is a little slaken'd. But who sees not that it is but for a Season, and till what is now to be done by the Nation be got settled to their Minds. And least we should mistake it for Mercy and Moderation, the Threatnings are continued. If that important Affair which every Body knows is in Agitation through the Land was concluded to their Hearts Wish, then they would reckon that their Mountain stood sure. And then the sturdy Lords and People, the Head strong Minister, who dare stand up and refuse to comply with the Measures of the *Hammanite's*, ye will soon find, that the Fetters, Scourges and Gallows, are but hid for a little in *Haman's* House, and will be produced and used to teach you Submission. If ye would dwell safely in this Land, ye must take your Consciences in your own Hands and let your Country take its Hazard. Otherwise resolve to suffer, if the *Hammanite's* prevail.

"In the late Queen's Time *, tho' the Reformation was far carried on, and French Government had appeared to be out of Doors, yet we

* Mary Queen of Scots

“ were again like to fall back under Popery and ar-
 “ bitrary Power. We blest God for the happy
 “ Change when she was put from the Throne,
 “ and we still bless him for it. We cast off hu-
 “ mane Traditions, but we did not mean to reject
 “ God’s written Word. We embrac’d the pure
 “ Doctrine of the Reformation, but we thought
 “ not of being led to *Arminianism*. We may at
 “ this Rate be gradually seduc’d to *Arianism*, and
 “ and then become natural *Heathens*. We threw
 “ off the Yoke of *Pope* and *Prelates*, and hop’d
 “ we would no more be by Degrees reconcil’d to
 “ that lordly Dominion, nor take up with new No-
 “ tions that destroy the beautiful Order of the
 “ Kirk of *Scotland*.
 “ Absolute Obedience in the State has been ur-
 “ ged, and Methods taken to enslave us. For too
 “ many Years past, we have seen our Parliaments
 “ more careful to please the Court than the Coun-
 “ try, and act contrary to our known Minds and
 “ Welfare. Our own Representatives have done
 “ it. Our *Taxes* have not lessen’d tho’ in Time of
 “ Peace, our Treasury is more and more disorder’d
 “ and encumber’d, our Trade fails every Day, our
 “ Shipping and Seamen decrease, and the Nati-
 “ on grows poorer: Yet the *Hamans*, the Favou-
 “ rites, turn hugely rich. They grow and feed on
 “ the Publick, as Wens and such like filthy Ex-
 “ crescences on a consumptive Body. We have an
 “ old and never failing Observation, That when an
 “ Estate is trusted wholly to a Factor, who has no
 “ other Business, and he from a poor Man grows as
 “ rich and great as a *Knight*, and as he turns rich-
 “ er and richer, the Estate and Tenants on it be-

“ come

" come poorer, that Factor is a Knave and should
" be turn'd out.

" We still have Parliaments. And if they act
" with honest Courage, we may yet recover. But
" alas ! where is it not observed that our Spirit is
" gone ? This is even turn'd an Argument to all
" the Knaves and to all the faint-hearted, to act
" against or desert their Country's Cause. The one
" flatters himself, and the other dreads it is a de-
" sperate Game. And it is a notable Discourage-
" ment to the Firm and Brave, in all their Endeav-
" ours to serve their native Land. We are tame-
" ly insulted every Day in our Trade, and in our
" sacred and civil Rights and Liberties, and ruled
" or rather subdued with a higher Hand than ever
" our Fathers could bear, or we till very lately.
" The Nation is disgusted at it, and none more
" than those who are most earnest for our Protestant
" Settlement. But all evaporates in fruitless Com-
" plaints and Murmurs, and is but like Smoke that
" is dissipated by a Breeze of Wind. In a Corner,
" yea, on the Streets, what brave Things are said !
" but few venture to act in their Stations, tho' no
" Danger appear that can frighten Women and
" Children. If you suffer Things to go on as they
" do, it will soon be dangerous indeed to attempt
" to stop them. As yet it is not, if for the Sake of
" your Country you can bear the Frowns of Favou-
" rites. The Badness of our declining Case, which
" awakens the honest and generous, makes the
" most Part of us creep like Curs in a Kennel when
" the Huntsman comes in rattling his Wheep.
" The poor Tykes are in Danger of being lashed.
" But we, more dastardly, are safe if we had Spi-
" rit,

rit, and our mean Terrors (how unlike the ancient
 ent *Scots* !) do only betray us to Danger. If
 you are turned cowardly, yet I call you not to
 Battle. I call you to exert those Rights and Pri-
 vileges you have by Law, and wherein the Law
 will protect you, if you stand by it. Much
 Boldness is not required to expostulate with the
 Members you have elected, or with the Men who
 now entreat your Favour to elect them, and
 must court and depend on you, if you court not
 them for Bribes, but refuse to depend on them.
 Dare you not look an unarm'd Member of Par-
 liament in the Face, and tell him while the Par-
 liament lasts, that he wrongs you, and that you
 will have him to do you Justice? Dare you not
 tell him, when another Parliament approaches,
 that he has shew'd his Naughtiness, and that you
 will no more trust him? Why are you terrified,
 or poorly asham'd to tell a new Candidate, that
 you love not his Shuffling, that he is not fit to re-
 present you and that you have not sufficient Ground
 to trust him? This will make the stoutest of them
 the most hardned and impudent Favourite of the
 Favourities, who think none dare oppose him, or
 that he has *Means* to bring all to submit to him;
 this, I say, will bring them to fawn at your Feet,
 and yielding you an easy Victory, put it in your
 Power to lift up and vindicate your depress'd and
 injured Country.

Much more is said by this old Author, with the
 honest old Plainness and Freedom; but most of it so
 adapted to the Affairs of the Age in which he
 wrote, that it would require a Commentary to
 make it be understood by the greatest Part of my
 Readers.

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I pretend not to compare those Days and Ours. But in one Thing there is a woful Likeness betwixt them, *Want of honest Spirit*. A true Scot's Heart must swell with Indignation, to hear it so unconcernedly said among ourselves every Day. *There is still Spirit among the English, but we have none!* Are you not ashamed, does not your Heart smite you, to make the Observation, and yet be one of the mean spiritless Wretches? The Nation is compos'd of particular Men, and this National Degeneracy is in every one of them who does not exert himself according to his Station and Ability. What Spirit do you shew for your Country? It is incumbent on you as well as on others. Are you so indolent or stupid, are you so dead to the Sense of Virtue and Honour, as not to have the Cause of your Country at Heart? Are you corrupted? Are you a Traitor, or do you own yourself a Coward?

Pudet hac opprobria nobis,

Et dici potuisse, & non potuisse refelli!

While we labour under this Disgrace, we have Reason to be glad that the *English* have Spirit. It lately preserv'd us from impendent Ruin. But let them not have the Honour to save *Britain*, not only without us but against us. They desire it not. They call to us for our Assistance in the common Cause. They know too well our low Estate, and will forget our past Faintness, and embrace us as dear Brethren if we now exert ourselves for the Liberty and Property of *Great Britain*. Tho' Corruption be at a shameful Height among them, yet they will not suffer themselves to be altogether oppress'd. When Designs to beggar and enslave us turn flagrant, we crouch like an Ass under the Bur-

Burden; but then it is that the *English*, who endur'd so much, will not submit to their Tax-Masters and Oppressors. Witness their brave, and God be thanked, successful Opposition to the late wicked *Excise-Scheme* for destroying Liberty and Trade. To that noble Stand of the *English*, and especially of the City of *London*, we ow'd our Preservation; while most of us, ill-inform'd unatentive and careless, were like a drunken Man a-sleep on a Top-mast in the Midst of the Sea. Some *Scots Men* at *Westminster* were inded awake. How did it appear? In their helping to bring common Destruction on *Scotland* and *England*. Being united, both would have been undone by that one Stroke. So *Nero* wish'd all the Necks of *Rome* in one, that by one Blow he might cut them all off. What would you not, *My dear honest Countrymen*, have felt in your perplexed Souls, if you then had been at *London*, and saluted from every Corner by the justly incensed People (as some were when they walked along the Streets) villainous *Scot*! After betraying your own Country, are you for Bribes to betray ours? Could we blame their Rage, and reproaching us with a Truth so near being fatal to them?

Yet, Thanks to God, we were not even then in the deplorable Case of *Sodom*. We had a few righteous and brave Men (and the fewer the greater their Praise) who durst be honest in the Midst of Vice, and risque the Employments confer'd on them for their acknowledged Merit and Services, and the Favour which for the same Reasons they were entitled to. And now we see them shine in *Glorious Disgrace*, with the same Spirit they exerted, and help'd to rouse up even in the *English*, for the Honour and Interest of *Great Britain*.

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Which of the Two shall represent you in the next Parliament? Are you for those who reject all Offers, and hazarded and lost valuable and honourable Employments that they might struggle against your being undone? Or will you desert your brave Friends, and again chuse those who concurr'd to bring Ruin on you and your Posterity? Are you for the Men who openly approve and join with your galant Friends, and by doing so must share their Fate in your Country's Cause? Or will you have those who mock their Patriotism, and declare their Approbation of the contrary Conduct, and their Adherence to your grand Oppressors? Can you be false to yourselves and take up with any who continues in the Enemies Camp and under that shameful Banner? Are you so ripe for deserved Ruin, as to accept of any who shall be countenanced or secretly supported by such Men or their Masters? Rouze up yourselves, *my Countrymen*. If you sleep on it will be to Death. Rouze yourselves for the Preservation of all that is valuable and should be dear to you. Act up to the Dignity of the antient *Scots* Name, to the Dignity of *Great Britain*. *Britain* so lately great and glorious in the World, now decay'd and her Lustre obscur'd! Save the Island from Poverty Contempt and Slavery. If there be blundering Heads and dirty Hands that by a Tract of bad and base Measures, foreign and domestick, have brought us to the Brink of Ruin; If you will have the *Men* you must also have the *Measures*.

God forbid I should dissuade you from admitting to Repentance those who went astray, but who give Proof of their Penitency, and do what they can to atone for their Misbehaviour by Amendment, and by

by honestly joining their Country's Cause unite their own private Concerns with it. Such will not shuffle and keep themselves as Neutrals, ready to enlist with any Side that prevails. But no honest Man of Sense will trust the Person, who having been any Way engaged on the wrong Side, and openly or under Disguise acted consequentially to these Engagements, shall pretend to have nothing to do with that Side, when nevertheless his Conduct continues the same, and he keeps at the same Distance from the Friends of his Country, and still labours to perplex their Measures, and to pluck a Sacrifice from his Country to render him acceptable and meritorious to its Enemies. The real and substantial Difference betwixt such a Hypocrite and the sincerely Penitent, every Eye must discern; and every honest Heart will embrace the one and reject the other.

A new Parliament approaches, which gives a new Opportunity (and who knows if we mismanage it that we shall have another?) to act for our Country. An Election, and more especially at such a Juncture, is one of the most important Parts of Government. And it is in the Hands of the Electors. They are our immediate and only Governors in that great Act of Administration. In this they are as directly Rulers as any Minister or Magistrate is in other Parts of the Administration, and as the Man they elect is to be when he sits in Parliament. What Execrations are got, what Reproach what Punishment is deserved by the corrupt Minister of State, Magistrate, Member of Parliament, or others in Trust, who by Bribes or any sinister Motives are seduced from their Duty? who prefer their own private Concerns, or these of their Friends, or of the Particular

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society whereof they are, to the Honour and Interest
of the Kingdom? All these Execrations, Reproaches
and Punishments are due to every Elector who
acts the same Part. I doubt our Electors have not
much considered themselves in this Light. But it
is a just Light. And I obtest them all to lay it se-
riously to Heart: Every Elector for a Shire, every
Member of a Town-council and the Deligates
they chuse and entrust. I have proved that if the
Electors be faithful and honest, so will also the
Elected be. Those you chuse to represent you must
come to resemble you, or represent you no more.
And it will be absurd and inconsistent, if you own
and approve the Representation and yet deny and be
ashamed of the Resemblance.

But let honest Electors, in so critical a Time,
take care that he whom they chuse to represent them
do already resemble them in their Integrity, and not
to trust to any After-Game when we may be over-
turned before they have an other Opportunity. The
Parliament (according to the present Law) is to be
chosen for 7 Years Continuance. What excellent
Things may be done by a good Parliament in that
Space of Time? And if it be a bad Parliament,
where shall we be, on what Foot and in what Con-
dition, at the End of 7 Years? It depends on the
Descernment and Faithfulness of the Electors, which
of them it shall be. Let it not still be the Reproach
of Scots Men, tho' so often deserv'd hitherto that it
is become a Proverb. *Wise behind the Hand.* If
during the new Parliament, we be brought under an
Excise Scheme (for the Projectors still commend it)
if to the Malt-Tax be added a Tax on our Bread-
Corn on our Roots and Herbs, on our Fleshes, and
all our Eatables, as already our Drink is severally
taxed

tailed; if Innovations and Violence be encouraged and carried on in the Church; if Corruption prevail in the State, our Trade and Manufactures be further betrayed and Liberty and Property made to bow and yield to rapacious Power; if abroad we be intangled affronted and defeat; if the Council of worthy Men be not listen'd to, but be born down by the Insolence and Noise of corrupt Blunderers &c. &c. How will you lament your Headlessness, how bitterly must you bewail your Unfaithfulness, at the Election? Then will you smart, for what now you may prevent. Consider it in Time, and acquire yourselves worthily. Your Consciences will one Day speak to you of it so loud, that you must hear; And then it will go to your Heart and inmost Soul. You have it to answer for to your Country, and to the great and most just God, the impartial Judge of all the Rulers of the Earth. If any Elector regardless of the Publick, mind only his private present Prosperity, and be afraid to incur Wrath by honestly venturing for his Country, him I beg Leave to admonish and warn (remembering the Passages from the old Pamphlet) in the Words of *Mordecai's* Answer to *Ester* the Queen; and shall make no Variation from it, but what is suitable to the main purpose of the Text, and adapts it literally to the Present Case to which it is so justly applicable. *Think not with thy self thou shalt escape, by sheltering thy self under the Wings of the Great, more than all thy People. For if thou altogether holdest thy Peace at this Time, then shall there Enlargement and Deliverance arise to the People from another Place, but thou and thy Fathers House shall be destroyed: And who knoweth, whether thou art come to thy part of the Administration for such a Time as this?*

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THE
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To Petition and Apply to their REPRESENTATIVES, asserted and vindicated. In a LETTER

To _____

SIR,



Was extremely surprized at the *Declaration* you made, when we were last together. I little expected you could for any *Consideration*, either at *present*, or in *Expectancy*, have treated the late *Resolutions* and *Request* of the *Citizens, Merchants and Traders* to their *Representatives* in the Manner you did. If the *Proceedings* of these *Gentlemen* are not in every *Respect*

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justifiable, I am at a Loss what Steps any Number of Persons are to be permitted to take, whenever they apprehend that the *Trade* and *Manufactures* as well as the *Liberty* of the whole Kingdom are likely to be *affected* by any Scheme or Proposal intended to be offered to a House of Commons.

I am so concerned at your Conduct, that I cannot refrain expostulating with you in this publick Manner on the Ocasion; which I chuse to do, not because I think it will be a Means of inducing you to alter your Measures in promoting a Scheme, in which I am assured you have *imbarked* your self; but to shew, that so far is there from being any Foundation from what you lay down, that, on the contrary, the *Subjects* have a *Right* to *petition* the King, or either House of Parliament, and the *Electors* a *Right* to make *Application* to their Representatives. This is a Matter as certain and as little to be contested as any Thing in our Histories or Statute Books, which relates to the Preservation of the Constitution of our Government.

I have hitherto esteemed you a *Whig*, a Man of *Principle*, one passionately devoted to promote the publick Good and the common Service of your Country. One, who believed that Kings were instituted for the Good of the People, and Government ordained for the Sake of Those, who are to be governed; and that *Britons* have a *Right* to complain as well as to be heard, whenever any Thing is in Question, which they conceive, if rendered effectual, " will prejudice the *Trade, Manufactures* " and *Navigation* of the Kingdom, or indanger " the *Liberty* and *Property* of the *Subjects* of " *Great Britain*.

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I hope you will excuse me if I think otherwise of you than I have formerly done, and if hereafter I look upon you to be *guided* by Interest, and an *Apostate* from those Principles, to which I am owing not only the *Revolution*, conducted by the glorious and immortal King *William*, but the Settlement of the *Protestant* Succession in the House of *Hanover* by the Act of Parliament in *his* Reign.

Principles only are to be regarded, and not Men. The one are eternally the same, the other are almost constantly changing; and he only can make a true Judgment in the Consideration of any Matter, who regards Things, and not Persons. Upon this Principle I readily approve what Mr. *Osborne*, alias *Socrates*, lays down, "that it seems reasonable that Men, who have no Property, but are absolutely at the Will of another, should have no Votes for Representatives in Parliament. Nor indeed have they, in Effect, Votes; for being at the Will and in the Power of another, they must vote as he would have them;" and am extremely pleased with the Justness of a Quotation by Mr. *D'Anvers*, "that *France* was once upon a right Foot, in Relation to its Liberties; for that they, who peruse their Histories, will find that arbitrary Power did not so much bring in high Taxes, as high Taxes introduced arbitrary Power; for when that golden Idol of an immense Revenue was set up, all the Nation bow'd to it.

I say, I approve what is said by Mr. *Osborne*, and am pleased with what is quoted by Mr. *D'Anvers*, though it is very well known one is a *ministerial* and the other an *anti-ministerial* Writer.

But I am greatly displeased when I hear Persons, of known *Affection* to his Majesty's Person and Government, represented as *Enemies* to both, because they are determined, with great Numbers of their Fellow-Subjects, as well as Fellow-Citizens, Merchants and Traders, " with the utmost Unanimity, " and by all dutiful and lawful Methods, strenuously " to oppose any *new Excise*, or Extension of the " *Excise* Laws, under whatever Name or Pretence " it may be attempted.

This is very extraordinary *Treatment* of a Body of Men, who, I am sure, ought to be *cherished* and *esteemed* as the most *useful* and most *beneficial* of any of his Majesty's Subjects, and who neither seek or expect any Posts or Preferments, and have no other Thing in View, by opposing the intended Scheme, but to preserve their *Trade* and *Liberty*, and quietly to *reap* the *Fruits* of their *honest Industry*; and who have not, in any *Step* they have taken, done any Thing either *undutifully* or *illegally*, or which they are not fully *justify'd* in by the *Precedents* of former Times.

I have turned over some of my Books since your Declaration, and find that as it is our unquestionable Right, so in all Ages the Usage has been, by *Petition*, to inform our Kings of our Grievances.

In the Reign of *Edward II.* and *Edward III.* Petitions were frequent for Redress of publick Grievances, and for Parliaments.

In the 5th Year of King *Richard II.* the whole Body of the Realm petitioned, *that the most wise and able Men within the Realm might be chosen Counsellors,*

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King *Henry VIII.* told his Subjects, then in Arms against him in *Yorkshire*, *That they ought not to have rebelled, but to have applied themselves to him by Petition.*

King *James I.* by a Proclamation published in the 12th Year of his Reign, begins thus, "The Complaint lately exhibited to us by certain Noblemen and others of our Kingdom of *Ireland*, suggesting Disorders and Abuses, as well in the Proceedings of the late begun Parliament, as in the martial and civil Government of the Kingdom, we did receive with extraordinary Grace and Favour.

And by another Proclamation, in the twelfth Year of his Reign, he declares, "That it was the Right of his Subjects to make their immediate Addresses to him by Petition." And in the 19th Year of his Reign he invites them to it.

In the 20th Year of his Reign he tells his People, "That his own and the Ears of his Privy Council did still continue open to the just Complaints of his People, and that they were not confined to Time and Meetings in Parliament, nor restrained to particular Grievances, not doubting but that his loving Subjects would apply themselves to his Majesty for Relief, to the utter abolishing of all those private Whisperings and causeless Rumours, which without giving his Majesty any Opportunity of Reformation by particular Knowledge of any Fault, serve to no other Purpose but to occasion and blow abroad Discontent.

It appears by the Journal 1640, that the House of Lords, both Spiritual and Temporal, *Nemine*
"Con-

Contradicente, voted Thanks to those Lords, who petitioned the King at *York* to call a Parliament; and the King, by his Declaration printed in the same Year, declares his Royal Will and Pleasure, "that all his loving Subjects, who have any just Cause to present or complain of any Grievances or Oppressions, may freely address themselves by their humble Petitions to his sacred Majesty, who will graciously hear their Complaints.

Soon after the *Restoration*, the Inhabitants of the County of *Bucks* made a *Petition*, that their Country might not be overrun with the King's Deer; and the same was done by the County of *Surrey* on the like Occasion.

In the same Reign many *Cities*, *Counties* and *Boroughs* petitioned his Majesty for the calling and the sitting of a Parliament for the *Redress* of Grievances, and to *preserve* the Religion and Liberties of the People of *England*; to confirm which, it may be necessary to give the following Extract from a Book intituled *An exact Collection of the Debates of the House of Commons, held at Westminster October 21, 1689.*

Sir GILBERT GERRARD.

"I Crave Leave to mind you of a great Infringement, which hath been made of the Liberty of the Subject since the last Session of Parliament. Sir, many good Protestants thinking it very strange that two Parliaments should be dissolved without doing any Thing material against Popery, and a Third so often prorogued in a Time of such imminent Danger; and fore-

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seeing the Ruin such Delays might bring upon them, resolved to petition his Majesty; and accordingly, in several Counties and Corporations, Petitions, humbly praying his Majesty to let the Parliament sit, were drawn up and sign'd by many Thousands of his Majesty's good Subjects, in a peaceable and quiet Way, and deliver'd to his Majesty by no greater Number of Persons than is allow'd. But although this was conformable to Law, and the Duty of good Subjects, considering what Danger his Majesty's Person and the Protestant Religion was in, yet it was traduced by his Majesty as *seditionous* and *tumultuous*, and forbidden by a Proclamation, and great Affronts and Discouragements given to such, as either promoted or deliver'd the said Petitions; and at last several Persons, in many Places, were set up to declare, at the Assizes and other publick Places, an *Abhorrency* and *Detestation* of such Petitioning.

" Sir, I humbly conceive *the Subjects of England have an undoubted Right to petition his Majesty for the sitting of Parliaments and redressing of Grievances*; and that, considering the Circumstances we are under, we have no Reason to lose it. If it should be our Unhappiness to have a Popish King, may he not be surrounded with Popish Counsellors, so as that poor Protestant Subjects may be debarred of all other Ways whatsoever of making known their Complaints to him, and must we lose this too? Sir, I think it so necessary and material a Privilege of the Subject, as that we ought, without Loss of Time, to assert our Rights to it; and therefore I humbly

“ bly move you to make some Votes to that Pur-
 “ pose.

Sir FRANCIS WINNINGTOUN.

Mr. Speaker. Sir,

“ I Am not only of Opinion with that worthy
 “ Member that spoke last, as to making a Vote
 “ for asserting the Right of the Subject to petition
 “ their Prince, but also for chastizing Those, who
 “ have been so wicked and abominable, as to tra-
 “ duce it and abhor it. And to that Purpose, I
 “ think, Sir, it will be convenient that we find
 “ out who advised or drew that Proclamation a-
 “ gainst it, and examine how a Petition, that was
 “ made in *Berkshire*, was ordered to be taken out
 “ the File at a Quarter Sessions, if worthy to be
 “ called so, there being but four Justices of the
 “ Peace, and two of them such obscure Persons as
 “ I cannot get their Names. And so make some
 “ Inspection into those Addresses that have been
 “ made against Petitioning, and by whom contri-
 “ ved, signed, or delivered. But this must be a
 “ Work of Time; for the present, I humbly move
 “ you to pass one Vote to assert the *Right* of the
 “ Subject to petition the King; another of Cen-
 “ sure on those Persons that have traduced it, and
 “ appoint a Committee for your farther proceeding
 “ herein.

Resolved, “ That it is, and ever hath been the
 “ undoubted Right of the Subjects of England to
 “ petition the King for the calling and sitting of
 “ Parliaments, and redressing of Grievances.

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Resolved, " *That to traduce such petitioning as*
 " *a Violation of Duty, and to represent it to his Maje-*
 " *sty as tumultuous or seditious, is to betray the Li-*
 " *berty of the Subject, and contributes to the Design*
 " *of subverting the ancient, legal Constitution of*
 " *this Kingdom, and introduces arbitrary Power.*
 Resolved, " *That a Committee be appointed to en-*
 " *quire after all such Persons that have offended a-*
 " *gainst the Right of the Subject.*

SILAS TITUS.

Mr. Speaker,

" **I** Am very glad these Votes have passed so
 " unanimously; for Popery and arbitrary Go-
 " vernment can never be set up in this Nation, if
 " we could be sure of frequent Parliaments; and
 " therefore the asserting the Right of the Subject
 " in any Thing, which tends to That, may be of
 " great Use to this Nation. But, Sir, seeing you
 " have taken this Business into your Consideration,
 " I think we may do well to go a little farther
 " with it, even at this Time. I am informed some
 " Members of the House are guilty of having
 " acted contrary to these Votes; and I am of Opi-
 " nion, that as they were not willing that we
 " should sit here, so that we should be as willing
 " not to have them sit amongst us; for if it were
 " a great Crime in others, much more in Those,
 " that are chosen to assert the Rights and Liber-
 " ties of the People. It is very unlikely that Men
 " of such Principles should make good Parliament-
 " Men; and I think it will very well consist with
 " the Justice of the House to begin with a Refor-
 " mation

“ mation amongst ourselves ; and therefore I hum-
 “ bly move we may first proceed against such.

Being commanded to name such Members, he
 named Sir *Francis Withins*, who, not being in the
 House, was order'd to attend the next Day ; where,
 after he was heard in his Place, was order'd to
 withdraw, and censur'd to receive the Sentence of
 the House upon his Knees, and to be expell'd the
 House.

This was the Sense of the House of Commons at
 that Time, and by the Act declaring the Right of
 the Subject on the Revolution, it is enacted among
 other Things, “ That it is the Right of the Sub-
 “ ject to petition the King ; and all Commit-
 “ ments and Prosecutions for such Petitioning are
 “ illegal.

Thus is shewn the indubitable Right of the Sub-
 ject to petition ; but because it will probably be ob-
 jected, that the Act of the 13th *Car. II. Chap. 3.*
 may be a Restraint of that inherent Right in the
 People ; I shall give the Clauses of the Act itself
 at full Length, which will give us a plain and in-
 fallible Rule to walk by in Petitioning.

It is intituled, *An Act against Tumults and Dis-
 orders upon Pretence of preparing and presenting
 publick Petitions, or other Addresses to his Majesty,
 or the Parliament.*

And the Preamble recites, “ Whereas it hath
 “ been found by sad Experience, that tumultuous
 “ and other disorderly soliciting and procuring of
 “ Hands by private Persons to Petitions, Com-
 “ plaints, Remonstrances and Declarations, and
 “ other Addresses to the King, or both or either
 “ Houses of Parliament, for Alteration of Matters
 “ establi-

" establish'd by Law, Redress of pretended Grie-
 " vances in Church or State, or other publick
 " Concernments, have been made Use of to serve
 " the Ends of factious and seditious Persons, got-
 " ten into Power, to the Violation of the publick
 " Peace ; and have been a great Means of unhap-
 " py Wars, Confusions and Calamities in this Na-
 " tion.

Therefore, for preventing the like Mischiefs for
 the future, it is enacted, " That no Person or Per-
 " sons whatsoever shall from and after the first Day
 " of *August* 1661, solicit, labour or procure the
 " getting of Hands or other Consent of any Per-
 " sons above the Number of Twenty, or more, to
 " any Petition, Complaint, Remonstrance, Decla-
 " ration or other Addresses to the King, or both or
 " either Houses of Parliament, for Alteration of
 " Matters established by Law in Church or State,
 " unless the Matters thereof have been first con-
 " sented unto, and ordered by three or more Justi-
 " ces of the County, or by the major Part of the
 " Grand Jury of the County, or Division of the
 " County, where the same Matter shall arise, at
 " their publick Assizes or general Quarter Sessions ;
 " or, if arising in *London*, by the Lord Mayor,
 " Aldermen and Commons, in Common Council
 " assembled ; and that no Person or Persons what-
 " soever shall repair to his Majesty, or both or
 " either Houses of Parliament, upon Pretence of
 " presenting or delivering any Petition, Complaint,
 " Remonstrance or Declaration, or other Addres-
 " ses, accompanied with excessive Numbers of
 " People, at any Time, with above the Number
 " of ten Persons, upon pain of incurring a Penalty

“ not exceeding the Sum of 100 *l.* in Money and
 “ three Months Imprisonment, without Bail or
 “ Mainprize, for every Offence ; which Offence to
 “ be prosecuted at the Court of King’s-Bench, or
 “ at the Assize or General Quarter Session, within
 “ six Months after the Offence committed and
 “ proved by two or more credible Witnesses. And
 “ It is provided, “ that this Act, or any
 “ Thing therein contained, shall not be construed
 “ to extend to debar or hinder any Person or Per-
 “ sons, not exceeding the Number of ten aforesaid,
 “ to present any publick or private Grievance or
 “ Complaint to any Member or Members of Par-
 “ liament after his Election, and during the Con-
 “ tinuance of the Parliament, or to the King’s
 “ Majesty, for any Remedy to be thereunto had ;
 “ nor to extend to any Address whatsoever to his
 “ Majesty, by all, or any of the Members of both,
 “ or either Houses of Parliament, during the Sit-
 “ ting of Parliament ; but that they may enjoy
 “ their Freedom of Access to his Majesty, as here-
 “ tofore hath been used.

So that by this Act it appears, that though the
 Parliament, being willing to provide against any In-
 conveniences, which might arise to the Government
 from tumultuous Petitioning, do not allow any
 great Numbers to petition for the Alteration of
 Laws, unless the Matter of the Petition be con-
 sented to, in such a Manner, as the Law directs ;
 yet that, nevertheless, in all other Cases they leave
 the Subject to their free undoubted Liberty, as well
 knowing that there could arise no possible Inconve-
 nience from it ; but, on the contrary, that to
 bar the People of that humble Way of making their

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Wants known might force them upon worse Ways of doing it.

My Lord Chief Justice *Hobart* tells us, " that " it is lawful for any Subject to petition the King " for Redress in an humble and modest Manner. " For, (says he) *Access to the Sovereign must not be " shut up in Case of the Subjects Distresses.*" It was one of the Crimes, for which the *Spencers* were banished by Parliament, *that they hindred the King from receiving and answering Petitions from great Men and others*; and one of the Articles against the Earl of *Strafford*, *that he issued out a Proclamation and Warrant of Restraint, to inhibit the King's Subjects to come to the Fountain, their Sovereign, to deliver the Complaints of their Wrongs and Oppressions.*

Mr. Finch (late Earl of *Aylesford*) lays it down in the Bishop's Trial, *that it is the Right of all People, that apprehend themselves aggrieved, to approach his Majesty by Petition*; and in the same Trial, says Sergeant *Levintz*, *the Subjects have a Right to petition the King in all their Grievances; so say all our Law Books, and so says the Statute of 13 Cha. II. cap. 5.* And a Writer, in Justification of the People's petitioning in the Year 1679, thus expresseth himself.

" It never yet was thought seditious or tumultuous in any Government, for the Subjects, in an humble Manner, to beg that he, who has the only Power to do it, would redress our Grievances. It is the Way by which we apply ourselves to the King of Heaven, who knows all our Wants, and yet expects from us, that we should daily express them to him in humble Petitions

" titions ; and the Wisom of the Church, which
 " has appointed Liturgies and Forms of Common
 " Prayer, seems to instruct us, that God is plea-
 " sed when huge Numbers join in the same Peti-
 " tion. Why should not then suppliant Subjects,
 " with like Humility, and in like Manner, address
 " themselves to the God on Earth ? Especially,
 " since Kings cannot know our Desires, or our
 " Grievances, till we our selves inform them what
 " they are. I remember some wicked Counsellors
 " of *Darius* did once obtain a Law to be made,
 " that none should petition any one but the King
 " for thirty Days ; but there never was yet found
 " so absurd a Statesmen, as to advise a Law, *that*
 " *Subjects should not supplicate their Prince.* It is
 " probable it would be well for *some Favourites*,
 " who are near a King, if such a Right could be
 " taken from the People ; for then all their false
 " Suggestions and Informations might pass undi-
 " covered ; but it is impossible that a King should
 " long be safe in such a Condition. I will suppose
 " a malicious Statesman, intending to raise a Jea-
 " lousy in the Mind of the Sovereign, should in-
 " form him, in dangerous Times, that he was not
 " beloved by his People, and that he was not to
 " trust them. How could the Subjects, in such a
 " Case, recover the Prince's good Opinion, in the
 " Absence of a legal Representative, but by hum-
 " ble and affectionate Addresses ? Or, suppose some
 " good Protestant Prince should be so unfortunate,
 " as to have some Counsellors near him, who are
 " conceal'd, and others, whose Crimes make them
 " fear Parliaments ; it is easy to suppose, that the
 " one Sort will be filling his Ears with Stories,
 " that

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that a great Part of his Kingdom are inclined to Popery; and the other Sort, that the best of his Subjects are quite out of Love with Parliaments, as factious and seditious Assemblies. Into what unfortunate Circumstances would such a Prince be apt to fall, if his People were precluded from addressing themselves, and opening their Desires to him?

If then the People of *Great Britain* have a Right (and it appears this Right is undoubted) to petition the King for the sitting of Parliaments, and for the Redress of all their Grievances, it will certainly follow that they have a Right to petition a Parliament, setting forth their Hardships and Grievances; and also to lay before their immediate Representatives any Thing, which may be doing in Parliament, or intended to be brought into Parliament, that they apprehend either prejudicial to the Trade, Manufactures and Navigation, or dangerous to the Liberties of the whole Kingdom. The Act of 13 *Car. II. cap. 5.* is a Proof of This; since it is there declared, "that not any Thing therein contained, shall be construed to extend to debar, or to hinder any Person or Persons, not exceeding the Number of Ten, to present any publick or private Grievance, or Complaint to any Member or Members of Parliament after his Election, and during the Continuance of the Parliament, or to the King's Majesty, for any Remedy to be thereunto had."

And as the People of *Great Britain* have a Right of applying to their Representatives, relating to any publick or private Grievance or Complaint, so there are numberless Instances, which might be produced, that

that they have constantly made Use of this Right
but I shall content my self with only giving the fol-
lowing very remarkable Applications of this Kind
of two great Cities, and two considerable Counties

*To the Hon. Sir Robert Clayton, Knt. Thomas
Pilkington, Alderman, Sir Thomas Player,
Knt. and William Love, Esq; late (and now
chosen) Members of Parliament for this Ho-
nourable City of London.*

“ **W**E, the Citizens of this City in common
“ Hall assembled, having experienced the
“ great and manifold Services of you, our Re-
“ presentatives in the two last Parliaments, by your
“ faithful and unwearied Endeavours to search in-
“ to, and discover the Depth of the horrid and
“ hellish Popish Plots ; to preserve his Majesty’s
“ Royal Person, the Protestant Religion, and the
“ well-established Government of this Realm; to se-
“ cure the Meeting and Sitting of frequent Par-
“ liaments ; *to assert our undoubted Rights of petiti-
“ oning*, and to punish such, who would have be-
“ tray’d those Rights ; to promote the happy and
“ long wish’d-for Union amongst all his Majesty’s
“ Protestant Subjects ; to repeal the 35th of *Eli-
“ sabeth*, and the Corporation-Act ; and espec-
“ ally for what Progress hath been made towards
“ the Exclusion of all Popish Successors, and
“ particularly, of *JAMES*, Duke of York, whom
“ the Commons of *England* in the two last Par-
“ liaments, have declared, and we are greatly sen-
“ sible is the principal Cause of all the Ruin and
“ Misery impending these Kingdoms in general

“ and

" and this City in particular. For all which, and
 " other your constant and faithful Management of
 " our Affairs in Parliament, we offer and return to
 " you our most hearty Thanks, being confidently
 " assured that you will not consent to the grant-
 " ing any Money-Supply, until you have effec-
 " tually secured us against Popery and arbitrary
 " Power; resolving (by divine Assistance) in Pur-
 " suance of the same Ends, to stand by you with
 " our Lives and Fortunes.

*To the Hon. Sir William Pulteney, and Sir Wil-
 liam Waller, Knts. unanimously elected Mem-
 bers of the ensuing Parliament for the antient
 City of Westminster.*

" **W**E, the Inhabitants of this City and the
 " Liberties thereof, assembled, retaining
 " a most grateful and indelible Sense of your pru-
 " dent Zeal in the late Parliament, in searching
 " into the Depth of the horrid and hellish Plots
 " of the Papists against his Majesty's Royal Person,
 " the Protestant Religion, and the Government of
 " the Realm, and in endeavouring to bring the
 " Authors of wicked Counsels to condign Punish-
 " ment; and remembring also your faithful Dis-
 " charge of that great Trust reposed in you, in
 " vindicating our undoubted Right of petitioning his
 " Majesty, that Parliaments may sit for the Redress
 " of our Grievances; which hereditary Privilege
 " some bad Men would have wrested out of our
 " Hands, upon whom you have set such a just
 " Brand of Ignominy, as may deter them from
 " the like Attempts for the Time to come. And

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" farther

“ farther, reflecting upon your vigorous Endeavours to secure to us and our Posterity, the Profession of the true Religion, by those just, legal and necessary Expedients, which the great Wisdom of the two last Parliaments fixed upon, and adhered to ; do find ourselves obliged to make our open Acknowledgment of, and to return our hearty Thanks for your eminent Integrity and Faithfulness, your indefatigable Labour and Pains in the Premises ; not once questioning, but you will maintain the same good Spirit and Zeal to secure his Majesty’s Royal Person, and to preserve to us the Protestant Religion (wherein all good Subjects have an Interest) against the secret and subtle Contrivances, and open Assaults of the common Enemy ; as also our Civil Rights and Properties against the Incroachments of arbitrary Power. In Pursuance of which great and good Ends, we shall always be ready, as we are obliged, to adhere to you, our honoured Representatives, with the utmost Hazard of our Persons and Estates.

To the Right Hon. the Lord Russel and Sir Humphrey Munnox, elected Knights for the Shire of Bedford, on the 14th of February, 1680-1.

“ **W**HEN it pleased his Majesty to summon his Peers and Commons, of this his Realm, to meet him at *Westminster* in the last Parliament, we accordingly then chose you to act on our Behalf ; and being abundantly satisfied, not only in your Courage, Integrity and Prudence in general, but also in your particular

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" Care, and faithful, conscientious Endeavours,
 " 1. To assert our Right of legal petitioning for
 " Redress of our just Grievances, and to punish
 " those, who were studious to betray it. 2. To
 " secure the Meeting and Sitting of frequent Par-
 " liaments (already by Law provided for) for the
 " Preservation of our Lives, Liberties and Estates,
 " and for the Support of his sacred Majesty, and
 " even of the Government itself. 3. To repeal
 " the Act of the 35th of *Elisabeth*, whereby all
 " true Protestants might possibly, in Case of a Po-
 " pish Successor (from which God of his infinite
 " Mercy defend us) be liable to utter Ruin, Ab-
 " juration, and perpetual Banishment. 4. To se-
 " cure his Majesty's Royal Person, the Protestant
 " Religion and well-established Government of this
 " Realm. 5. To destroy and root out Popery.
 " 6. To use the most effectual Means conducing to
 " so good an End, *viz.* The Exclusion of a Popish
 " Successor, both by Name and otherwise. We
 " have therefore now chosen you again to repre-
 " sent us, in like Manner, in this Parliament called
 " to be held at *Oxford*; in full Trust and Confi-
 " dence that, with the same Courage and Integri-
 " ty, you will persevere in the same good Endea-
 " vours, pursuing all Things that (by joint Con-
 " sent of your Fellow-Members) shall be found
 " for our publick Good and Safety; and in full
 " Assurance that you will not consent to the Dis-
 " posal of any of our Money, till we are effectually
 " secured against Popery and arbitrary Power,
 " do resolve (by divine Assistance) to stand by
 " you therein.

To Arthur Onslow. and George Evelyn, Esqrs.
*elected Knights for the County of Surrey in the
 ensuing Parliament; whose Session is appointed
 at Oxon the 21st of March 1680-1.*

WE the Freeholders of the County of Sur-
 rey, having in two former Parliaments
 chosen you to be our Representatives; and be-
 ing satisfied in your Faithfulness and Care to
 preserve the Protestant Religion, his Majesty's
 Royal Person, the good Government of the Na-
 tion by Law, and in securing our Rights and
 Liberties; for your real Endeavours herein we
 jointly return our hearty Thanks; and have now
 chosen you again, to be our Representatives in
 this Parliament. And though we have not the
 least Suspicion or Doubt of your Wisdom and
 Integrity, in acting for our common Good (now,
 as we apprehend, in great Danger) yet we judge
 it expedient to discover our Minds and hearty
 Desires in the Particulars following, viz.

1. That you'll continue vigorously to prose-
 cute the horrid Popish Plotters, and endeavour
 that they may be brought to condign Punish-
 ment; especially all Sham-Plotters, which we
 esteem the worst of Villains.

2. That you will insist on a Bill for excluding
 all Popish Successors to the Crown; which we
 believe an effectual Means (under God) for pre-
 serving the Protestant Religion, his Majesty's
 Life and Tranquillity, with the well-established
 Government of the Kingdom, and securing it to
 our Posterity.

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“ 3. That you endeavour passing a Bill for regulating Elections and the Frequency of Parliaments (for dispatching of those weighty Affairs of the Nation that shall from Time to Time be before them) which we judge the best Prevention of an arbitrary Power.

“ 4. That you persevere in asserting our Right of legal petitioning, for removing our just Grievances, and pass a Bill (if there be no Law) to punish such that shall obstruct it.

“ 5. That you will use your utmost Endeavours to bring in a Bill against Pluralities of Church Livings, Non-Residency, and scandalous Ministers; of which there are too many in most Counties.

“ 6. That you will endeavour to preserve his Majesty's Person, to root out Popery, and prevent arbitrary Government; and use your utmost Endeavours to unite his Majesty's Protestant Subjects.

“ *Lastly*, that you will not consent to any Money Bill, till the aforesaid Particulars be effected; and in so doing, we hereby promise to stand by you with our Lives and Fortunes.

It is to the same Purpose that almost all the Counties, Cities and Boroughs applied to their Representatives in the Year 1681; and some of them recommended to their Representatives the following Articles.

“ That you will use your utmost Endeavour to put a Brand upon those abominable Monsters, which were PENSIONERS in the late long Parliament, that thereby the *Generations to come* may

" may be deterred from attempting the like un-
 " heard-of Villany.

" That some Laws may be made for the preven-
 " ting the Excesses, and Exorbitances in the Ele-
 " ction of Members of Parliament, and of undue
 " Returns ; and that some effectual Provision may
 " be made for the meeting of frequent Parliaments,
 " and for their sitting to redress Grievances ; and
 " to make such wholesome Laws as shall be necessa-
 " ry for the Welfare of the Nation.

" That you will purge out the Corruptions,
 " which abound in the Election of Members to
 " serve in Parliament ; that you will be sparing of
 " our Money until we are effectually secured a-
 " gainst Popery and arbitrary Power ; and a sure
 " Foundation laid of an happy Union between the
 " King and his People, by the Removal of those
 " evil Instruments, who thro' private Interest and
 " Ambition make it their Business to divide their
 " Affections.

This was the Manner of the People's applying
 to their Representatives in former Times ; and be-
 cause it may be seen that a *Regard* was *had* by the
 Representatives themselves to these *timely* and
right Applications of the People, it may be neces-
 sary to give the two following Speeches, which
 were made on the Occasion ; the one by a Repre-
 sentative of the City of *London*, and the other of
 the County of *Bedford*.

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Sir ROBERT CLAYTON.

I Confess I have been full of Expectation of some Expedient to secure the Life of the King and the Protestant Religion, without the Bill for excluding the Duke, &c. My Expectation is from those, who opposed the Expedient of the Bill (for I can call it no otherwise). I have in my weak Judgment weighed all Expedients I have heard of, and they seem to me all to be a Breach of the Constitution of the Government, and to throw us into Disorder and Confusion. I have heard it has been *an antient Usage, that Members have consulted their Cities, Boroughs, and Counties in any Thing of Weight, as well as Money, before they resolved it.* The Practice was good, and I wish it were continued; we can discharge our Trust no better than in observing the Direction of those, who sent us hither. I received an Address from the City of London, (having the Honour to be one of their Representatives) in the Matter of this Bill of excluding the Duke, &c. I heartily wish some Expedient may be found out to save our Religion without it. But I must pursue my Trust; therefore I move a Bill may be brought in to exclude all Popish Successors, and particularly, JAMES Duke of York.

Lord RUSSEL.

I Have the same Obligation upon me as the worthy Person that spoke last, from the County I have the Honour to serve for. I have
“ been

“ been long of Opinion that nothing but this Bill
 “ can secure us from Popery. In the long Par-
 “ liament 'twas said that the Duke was a Papist
 “ and the Danger of his Power will be more now
 “ and every Day informs us of the sad Con-
 “ sequences of it. I should be glad if any Thing
 “ but this Bill could secure us; I know nothing
 “ else can, and therefore I humbly move for it.

Thus have I laid before you, in this publick Man-
 ner, the People's Right of *petitioning* and *applying*
 to their Representatives, and I hope shewn that
 you were as wrong in making the *Declaration* you
 did, as in having *embarked* your self in a *Scheme*
 so *universally* disagreeable to the *Opinion* and *In-
 clination* of your Fellow Subjects, and shall not
 detain you nor my Readers any longer than to sub-
 mit the following Passage, wrote by the greatest
Man * of his Time, to yours and their Confide-
 ration.

“ A gradual Method of destroying our Nation
 “ Right is the most dangerous in its Consequences
 “ The Safety, which our Forefathers, for many
 “ hundred Years, enjoy'd under this Part of the
 “ Law (Juries) especially, and have transmitted
 “ to us, is so apparent to the meanest Capacity
 “ that whoever shall go about to take it away
 “ give it up, is like to meet with the Fate of
 “ *Ismael*, to have every Man's Hand against him
 “ because he is against every Man. Few Men
 “ first see the Danger of little Changes in Funda-
 “ mentals; and Those, who design them, usually

* Lord SOMERS.

act with so much Craft, as besides the giving
vious Reasons, they take great Care that the true
Reason shall not appear. Every Design therefore
of changing the Constitution ought to be most
warily observed, and timely opposed; and it is
the Interest of the People, that such Fundamen-
tals should be duly guarded, for whose Benefit
they were first so carefully laid.

S I R, Yours, &c.

The Counties and Corporations throughout
England were generally so well satisfy'd with the
Proceedings of the Honourable House of Commons
in the Parliament, held at Westminster, October 21,
1680, prorogued the 10th, and dissolved the 18th
of January following, that as soon as they heard
of its Dissolution, they resolved to chuse the very
same Persons again, and contrived to make their
Elections, without putting the Gentlemen chosen
to any Charge, thereby to crush the pernicious
Practices in the Choice of Members, which, by
the Continuance of one Parliament so many Years,
had been introduced in that Reign, not only to the
scandalizing of the Nation, but the almost destroy-
ing the very Constitution of our Parliaments. The
following are Copies of four of the many Letters,
which were wrote at that Time.

*A LETTER of Thanks from the Grand Jury
of the County of Worcester to the Knights of
this Shire.*

Honoured Sirs,

WE, the Grand Jury of the County of *Wor-*
cester, at the general Quarter Sessions of
the Peace held for the said County, do hereby, in
the Behalf of our selves, and the County, for which
we serve, return you our most hearty Thanks for
your constant and unwearied Attendance upon the
Service of his Majesty and your Country, in Par-
liament, in a Time of such imminent Danger ; and
especially of your Concurrence in those Methods,
that have been taken for the Security of his Ma-
jesty's sacred Person, the Protestant Religion, and
the Properties of his Majesty's Subjects, against the
hellish Plots of the Papists, and their Adherents ;
and we do humbly *request your Continuance*, and
shall ever pray for the Preservation of the Person of
our most gracious Sovereign, and that God will
direct and unite his Councils ; and, upon all Oc-
casions, testify that we are,

Honoured Sirs,

Your very humble, obliged

and thankful Servants.

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This was signed by all the said Grand Jury
and directed to the Honourable Colonel Samuel
Sandys, and Thomas Foley, Esquires.

A LETTER, from the antient and loyal Bo-
rough of North-Allerton in Yorkshire, to their
Burgesses in Parliament.

Honoured Sirs,

THE unexpected and sudden News of this
Day's Post preventing us from sending those
due Acknowledgments, which the Greatness of your
Services for publick Good have merited from us,
we have no better Way, now left us, to express
our Gratitude, and the highest Resentment of your
Actions before, and in your last Sessions of Par-
liament, than to manifest our Approbation thereof,
by an Assurance, that if a Dissolution of this pre-
sent Parliament happen, since you have evidenced
so sufficiently your Affections to his Majesty's royal
Person, and Endeavours for the preserving the
Protestant Religion, our Laws and Liberties, we
are now resolved, if you are pleased to *continue*
with us, to *continue* you as our Representatives;
and do therefore beg your Acceptance thereof;
and farther, that you will continue your Station
during this Prorogation, faithfully assuring you,
that none of us desire to give, or occasion the Ex-
pence or Trouble of a Journey in order to your
Election (if such happen) being so sensible of the
too great Expence you have been at already, in so
carefully

Carefully discharging the Trust and Confidence re-
posed in you by,

GENTLEMEN,

Your obliged, and

faithful Friends and Servants,

Sign'd by the Burgeses and Electors of *North-
Allerton*, and directed to Sir *Gilbert Gerrard* and
Sir *Henry Calverly*, Burgeses for the Borough of
North-Allerton in *Yorkshire*.

A LETTER from the famous Town of
Kingston upon Hull, to Sir *Michael Wharton*,
Knt. and *William Gee, Esq;* Burgeses for that
Town in the late Parliament.

Worthy Gentlemen,

WE understand you have signify'd to our
Magistrates your Willingness to represent
us in the ensuing Parliament, and that they have
gratefully accepted of your generous Offer; which
if they had communicated to us, our joint Com-
pliance would have been readily manifested; for
we are so sensible of your Integrity in the late Par-
liament, by your indefatigable Care and Pains, in
endeavouring the Security of his Majesty's sacred
Person, as also our Religion and Property, that
we cannot but rejoyce you are pleased again to
offer

offer us that Kindness, which your former good Service hath engaged us to become Suitors for; We do therefore return you our hearty Thanks; and you may be confident, without your Appearance, or the least Charge, to have all our Suffrages, *Nemine Contradicente*, and will, as our Obligations bind us, stand by your Proceedings, as becomes loyal Subjects and true *Englishmen*; subscribing ourselves

Your obliged, and

affectionate Friends and Servants,

Which was subscribed by *Matthew Johnson*, Esq; Sheriff of the said Town, and 122 more of the most eminent Burgesses and Electors.

A LETTER from Lewis in Suffex on the like Occasion,

To their late worthy Representatives, Richard Bridget, and Thomas Pelham, Esqs.

Gentlemen,

WE are sensible of the great Trouble and Charge you have been at, as our Representatives, and of your great Care and Constancy; for which we return you our hearty Thanks, with our earnest Request, that you would be pleased once more to fa-
your

your us in the same Capaety ; and you will there
by much oblige

Your faithful

Friends and Servants.

This was subscribed by near 150 of the Inhabi-
tants of *Lewis* aforesaid.

The next House of Commons, which was sum-
moned to meet at *Oxford*, no sooner assembled,
but a Member * made a Speech to this Effect.

WHEN there has been Corruption, and all have
not done their Duty, you should distinguish
and give Thanks to Them that have. Formerly
you have done it to Officers for doing their Duty in
Suppression of Popery, when through the Corrupti-
on of the Times some have not done their Duty.
Nothing is more Parliamentary than to return
Thanks to Those, who have freely and without Ex-
pence chosen you Members ; and I desire that the
Members so elected may be ordered to send their
Thanks to those who chose them.

— And the following Vote passed.

“ It being represented to this House by seve-
“ ral Members, that many Counties, Cities and
“ Boroughs have freely, without Charge, elected
“ many

* *Mr. SWINFEN.*

many of the Members of this present Parliament, according to the antient Constitution of Election of Members to serve in Parliament; wherefore this House doth give their Thanks to such Counties, Cities and Boroughs for their Election.



APPENDIX from the Review of the Excise-Scheme *.

WE are now come to the *Instructions*, which most of the Cities and Corporations in England address'd to their Representatives, acquainting Them with the terrible Consequences of the late Scheme, and requesting Them to oppose it. The Considerer seems to be highly incens'd at these *seasonable Applications*, and raves against them for several Pages together, under the Name of *positive Commands and authoritative Injunctions*, which tend to introduce a new legislative Power, to rule the Parliament, and govern the Government; with a great deal more such Stuff, which is only thrown in to blind the Eyes of the Reader, and perplex the Point in Dispute.

For my Part, I cannot recollect, upon the strictest Examination of my Memory, that the Word *Command* or *Injunction*, or any Word synonymous or equivalent to it, was made Use of in any Part of the *Instructions* last Winter; nor can I perceive in what They differ'd from mere *Representation and Petition*.

tion, or from offering their Opinion and giving their Reasons; which *this Author* seems to allow Himself. They did not lay any compulsive Obligation on the *Members* to follow them. If they had an additional Influence from the *approaching Elections*, it was a lucky Circumstance for the People; and I should be very sorry to find that the *Projector* had a Secret of making Corporations choose Persons who act contrary to their Sense and Interest; for let their *Judgment*, in these Cases, be right or wrong, it cannot be absolutely rejected, without infringing their *Liberty*; and it would certainly be much better that their Choice should be *injudicious* than *free*.

As to the Instances assigned by our *Author*, in which *this Practice* may be dangerous to our Constitution, I answer in general, that there may be Cases put, where the very best Things may be turned to an ill Use; that *Instructions from Corporations* have been, and may be, of singular Use to the Cause of *Liberty*, on some important Occasions.

How the Instance of the *Parliament's disbanding the Army in King William's Reign* comes to be twisted into this Argument, I am really at a Loss to comprehend; for, if I remember right, there were no Instructions from the Country, either for *disbanding* or *not disbanding*. However, let us bestow a Remark or two on this impertinent Digression. It seems then, according to our *Author*, that the *second War with France* was occasion'd by the Reduction of our Troops at that Time. Well, let us suppose the Case to be so; and that *France* would have abided by the *Partition-Treaty*, if our *Army* had been kept up. Would That have alter'd

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the State of *Europe* for the better? Was not an Alliance between a King of *Spain*, of the House of *Bourbon*, and an Emperor of the *Austrian* Family, the Reason of our Counter-Alliance with *France*? If therefore an Alliance only was so dreadful, what would an Union of those two Crowns in the same Prince have been thought, according to the Politics of 1725? That it was a bloody and expensive War, is true; but, at the same Time, it was a glorious War: And if one was to reason from Success, disbanding the Army did not produce any real Evil, but the contrary; for the Nation was able, in a very little Time, to appear in the Field with more formidable Armies than ever before; which experimentally verifies an old Observation, That a *British* Monarch, who hath the Command of his Subject's Purse, upon all necessary Occasions, can never want Troops. I must however own that what the Author says ought to give us a comfortable Prospect; for if the Want of an Army was the Occasion of a War, in King William's Time, I hope a numerous Army, under the Command of our present most gracious Sovereign, will prevent one at present.——But let us return to the People's Right of petitioning and instructing their Members.

It is too well known, by Experience, that *Parliaments* are neither infallible nor impeccable; but have often run contrary both to the Interest and Sense of the People. Now, in such a Case, what is to be done? Let me ask these Writers, whether the Members of the House of Commons are the People's Representatives, or not; and whether, unlike all other Deputies and Trustees, They are absolute-

ly independent of their *Principals* and *Constituents*? In Answer to This, it hath been sometimes argued, that the collective Body of the People transfer all their Power to Those whom they choose to represent Them, and have nothing further to do in Matters of Government, than to yield an implicit Obedience to their Decisions. But the Fallacy of this Argument hath been fully proved from the Nature and Design of *Parliaments*, as well as the Practice of all Ages. However, as it is a Point which hath been much controverted on one *Side*, to serve a Turn, and will I hope be fully established on the *other*, for the Sake of our Constitution, it may be of Use to give it a little farther Examination.

It is well known, by every Body who hath but just dipt into our History, that *Parliaments* were formerly called on some particular Emergence of State, and dismiss'd as soon as the Business was over. In those Times, the People were generally apprised of the Occasion for which a *Parliament* was called, and therefore were enabled to acquaint the *Elected* with their Sense of the Matter, before they came up to Town. Yet, even in those Times, if any Thing unexpected happen'd to occur during their Sitting, they commonly desired Leave to consult their *Constituents*, before They came to any Resolutions. Of This there are many Instances in our Histories; but I have lately met with two, which came up so directly to the Point, that I am sure the Publick will excuse my quoting them.

The *first* is in the Parliament 9. *Edw. 3.* * "when

* 3 *Inst.* 34.

a Motion being made for a Subsidy to be granted of a NEW KIND, the Commons answered, They would have Conference with *Those of their several Counties and Places, who had put Them in Trust, before They treated of any such Matter.*

The *other Instance* is in the 13th of the same reign, "The King declared to the *Parliament*, that He with others about Him stood bound for furnishing Him and his Allies in 30000 l. which He ought to pay, and therefore wanted Aid of his *Commons* to pay the same; but the *Commons* made Answer, that they knew and tendered the *King's Estate*, and were ready to aid Him; only in this NEW DEVICE They durst not agree, without farther Conference with their *Counties*; and so praying Respite until another Time, They promise to travel to their *Counties* to consult Them in this *grand Affair*.

From hence it appears, that even in those early times, when *Prerogative* ran so high, and the Nation enjoyed no *Liberty*, as Mother *Osborne* assures, the *House of Commons* would not come into any Tax, of an extraordinary Nature, without consulting *Those* whom They represented, and from whom They derived all their Authority.

If We come down to the Times, when the Practice of long *Parliaments* grew in Fashion, We shall find the same *Right* exerted, upon several Occasions; and surely no Body will deny that the *Exercise* grows more and more expedient, in Proportion to the Length of *Parliaments*; since it is impossible for the People to foresee, at the Time of Election, what

what Affairs may come under their Deliberation for several Years to come, and therefore must reserve their Thoughts to Themselves till some Point of Moment is actually brought upon the Carpet, or discovers itself to the Publick, and furnishes Them with Matter of *Instruction*.

In the Reign of *Charles II.* we meet with many Addresses of this Kind; in which several * *Counties, Cities and Corporations* not only return their respective Members Thanks for their past Services, prosecuting the Authors of the *Popish Plot*, and the Progress *They had made in the Exclusion Bill*, as well as their Endeavours to secure the Meeting and Sitting of frequent Parliaments; to repeal an Act of the 35th of *Elisabeth* in Favour of Protestant Dissenters; to bring the Authors of wicked Counsels to condign Punishment; and for asserting their undoubted Right of PETITIONING; I say, They do not only return their Representatives Thanks for their glorious Conduct in all these Points, but exhorted them to persevere in the same good Endeavours; humbly requesting Them not to consent to any *Money-Bill* till their Grievances are redressed, and even promising to stand by Them, in the Pursuance of those Ends, with their LIVES and FORTUNES.

There was, indeed, a Set of Miscreants in that Age, as well as in ours, who traduced this Right of petitioning, as seditious, and declared an Abhorrency of it; but they received a severe Censure

* See the *State-Tracts of that Reign*; or a Pamphlet, intituled, *The Right of the British Subjects to petition*, &c, p. 17.

in Parliament, and have been ever since branded in History with the infamous Name of *Abhorers*.

Let us now come to the Reign of K. *William*, in which the Exercise of *this Right* was again resumed. The Case of the *Kentish Petition* is well known; in which several Gentlemen of *that County* undertook to instruct not only their own *Representatives*, but the *whole Parliament*, in *Money-Matters*. This was censured by the *House* as irregular; and yet see how some Folks shift their *Principles*, like their *Clothes*, according to the Weather! For even the Reasonableness of *this Petition* was maintained by some of those very People, who now treat the *late Instructions against the Excise-Bill*, in which *Trade and Liberty* were concerned, as tumultuous and illegal.

In the same Reign, the City of * *London*, and the Borough of *Southwark*, gave very strong *Instructions of the like Nature to their Members*, without any Censure; though they enter'd into a particular Detail of the Interest of *Europe*, at that Time, and directed their Members, in a pretty *authoritative Stile*, how to behave in the momentuous Affair of *Peace and War*.

It ought to be observed, that all *these Addresses* ran in Favour of the *Court*; and I hope it will not be maintained, even in this Age of Contradictions, that the People of *England* have not the same Right of applying to their Representatives, *against the Measures of the Court*, when they see Occasion.

The Right of *Petitioning and Instructing* being thus warranted by the Practice of all Ages, it remains

* See *Kennet's History of England*.

mains only to be considered whether it was properly exercised, or not, against the late *Excise-Bill*; and here, I think, there is but little Room for Dispute; for if *this Privilege* is justifiable at any Time, or in any Case, it was certainly so on that Occasion: Shall a *wicked Scheme* against the *Trade*, the *Liberty* and *Property of the Subject*, be set on Foot by an *audacious Projector*, and must the People passively submit to it? Shall the *British Nation*, who have spent so many Millions of Money, and lost so much Blood, in Defence of their Liberties and Constitution, sit still and tamely suffer the galling Fetters of *Excise-Laws* to be rivetted on their Legs by an *Inventor of Cruelty*, without any Struggles to relieve themselves? God forbid! It is their Right, nay it is their Duty, in all such Cases, to implore the Protection of those who are intrusted with their *Liberties*, and will support Them as long as our Constitution is preserved. They exerted *this Right*, in the late Case, with Prudence and Vigour, and therefore with Success. This is not only a Subject of Joy at present, but ought to give them Comfort in Times to come; for I must agree with the * *Craftsman*, in hoping that *these Methods will be revived in the same prudent and vigorous Manner, upon all extraordinary Occasions.*

But since the *Considerer* is pleased to dispute this Point so strenuously, I wish he would consult one, who not only understood our *Constitution* as well as any Man in *England*, but had likewise the most tender Regard for it; I mean Mr. LOCKE; one of these illustrious Writers, with whose *Busto's* her pre-

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present Majesty hath been pleased to adorn her Country Retirement. I hope therefore that I may be permitted to quote two or three Passages from Him, about *Civil Liberty*, without any Offence.

“ The * Community, says He, perpetually retains a *supreme Power* of saving themselves from the Attempts and Designs of any Body, even of their *Legislators*, whenever they shall be so foolish, or so wicked, as to lay and carry on Designs against the Liberties and Properties of the Subject. In another he says, || “ Where the Body of the People are deprived of their Right, either by the *Executive* or *Legislative Power*, having no Appeal on Earth, They have a Liberty to appeal to Heaven, whenever they judge the Cause of sufficient Moment.

Again; † “ The *Legislative* acts against the Trust reposed in them, when they endeavour to invade the *Property of the Subject*, and to make Themselves, or any Part of the Community, Masters, or arbitrary Disposers of the Lives, Liberties, or Fortunes of the People.

These are the true Principles of *Liberty*; the Principles of the *Revolution*; and though they ought not to be put in Execution, unless in Cases of the utmost Extremity, yet They should be constantly kept in the Minds of the People; and every Man, who endeavours to erase, or depretiate them, is an Enemy to our Constitution, and saps the Foundation of the present Establishment.

That

* *Essay on Civil Government*, Cap. 13. Art. 149.

|| *Ib.* Cap. Art. 168.

† *Ib.* Cap. 19. Art. 221.]

That *these Instructions* were enforced by *Menaces* and *Tumults*, as the *Considerer* asserts, is absolutely false; and therefore deserves no particular Answer. Popular Insults upon *Members of Parliament* are condemned by all reasonable Men as much as by our *Author*. It is however, a melancholy Appearance, when the People begin to lose their Respect for an *House of Commons*, whom they naturally revere as their *Protectors*; but when Things are carried *within Doors*, contrary to the general Sentiments of *Those without*, the Populace will be apt to express their Dislike and Resentment. It is an old Privilege, or Custom, which they have been in Possession of for many Ages; and cannot be intirely taken away, without tearing up Liberty by the Roots at the same Time. But alas! the Influence which arises from the *Voice of the People*, is very small, in comparison with that from another *Quarter*! One *Whisper* can do more than a thousand *Huzzas*. A little Scrap of Paper in the Hands of a *Minister*, hath often had more pernicious Influence upon some Parliaments, than an hundred Clubs in the Hands of a *Mob*. Yet still I am ready to confess, that all Violence of this Kind ought to be restrained, though it hath often proved salutiferous and preserved the Liberties of popular States. To give one Instance, among many others which might be produced, *Amsterdam* would have been given up to the *French*, in the last Age, had not the Populace very seasonably interposed.

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